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भारत का राजपत्र

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सं. २४]

नई दिल्ली, शनिवार, १२ जून, १९८२/ज्येष्ठ २२, १९०४

No. 24)

NEW DELHI, SATURDAY, 12 JUNE, 1982/JYAISTA 22, 1904

इस भाग में भिन्न पृष्ठ संख्या हो जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—चण्ड ३—उप-चण्ड (II)
PART II—Section 3—Sub-section (II)

(रक्त मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक प्रावेश और प्रधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कल्पनी कार्य मंत्रालय

(कल्पनी कार्य विभाग)

नई दिल्ली, २६ मई १९८२

का०आ० २१२७—एकाधिकार तथा अवश्यक व्यापारिक व्यवहार प्रधिनियम १९६९ (१९६९ का ५४) की धारा २६ की उपधारा (३) के अनुसरण में केन्द्रीय सरकार विरुद्धारा मैमस सराज मिल्स लिमिटेड के काधिन प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र सं. ६१७/७०) के नियमीकरण को प्रधिसूचित करती है।

[मा० १६/१३/९१-गम-३]

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi the 26th May 1982

S.O. 2127.—In pursuance of Sub-section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Sa oja Mills Limited under the said Act (Certificate of Registration No 617/70)

[No 16/13/81 M III]

का०आ० २१२८—एकाधिकार तथा अवश्यक व्यापारिक व्यवहार प्रधिनियम १९६९ (१९६९ का ५४) की धारा २६ की उपधारा (३) के अनुसरण में केन्द्रीय सरकार विरुद्धारा मैमस सराज प्राइवेट लिमिटेड के काधिन प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण पत्र सं. ५८८/७०) के नियमीकरण को प्रधिसूचित करती है।

[मा० १६/१४/८१-गम-३]

S.O. 2128—In pursuance of Sub-section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of the registration of M/s. Virudhunagar Textile Mills Limited under the said Act (Certificate of Registration No 600/70)

[No 16/14/81-M III]

का०आ० २१२९—एकाधिकार तथा अवश्यक व्यापारिक व्यवहार प्रधिनियम १९६९ (१९६९ का ५४) की धारा २६ की उपधारा (३) के अनुसरण में केन्द्रीय सरकार विरुद्धारा मैमस पी०गोर पाइ मैम्स प्राइवेट लिमिटेड के काधिन प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण पत्र सं. ५८८/७०) के नियमीकरण को प्रधिसूचित करती है।

[मा० १६/१५/८१-गम-३]

S.O. 2129.—In pursuance of sub-section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. P. Orr & Sons Private Limited under the said Act (Certificate of Registration No. 588/70).

[No. 16/15/81-M. III]

का०आ० 2130—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार प्रधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के प्रनुसरण में केन्द्रीय सरकार एतद्वारा मैसर्स विकोम्ब्लूर कमला मिल्स लिं. के कथित प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र सं० 586/70) के निरस्तीकरण को प्रधिसूचित करती है।

[सं० 16/16/81-एम-3]

S.O. 2130.—In pursuance of Sub-section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. The Coimbatore Kamala Mills Limited under the said Act (Certificate of Registration No. 586/70).

[No. 16/16/81-M. III]

का०आ० 2131—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार प्रधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के प्रनुसरण में केन्द्रीय सरकार एतद्वारा मैसर्स लायल टैक्सटाइल मिल्स लिं. के कथित प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र सं० 622/70) के निरस्तीकरण को प्रधिसूचित करती है।

[सं० 16/17/81-एम-3]

S.O. 2131.—In pursuance of sub-section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Loyal Textile Mills Limited under the said Act (Certificate of Registration No. 622/70).

[No. 16/17/81-M-III]

नई दिल्ली, 28 मई, 1982

का०आ० 2132—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार प्रधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के प्रनुसरण में केन्द्रीय सरकार एतद्वारा मैसर्स नौरोजी वाडिया एंड सन्स (प्राइवेट) लिमिटेड, के कथित प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र सं० 943/74) के निरस्तीकरण को प्रधिसूचित करती है।

[सं० 16/28/81-एम-3]

चन्द्रकान्त खुणालदाम, निवेशक

New Delhi, the 28th May, 1982

S.O. 2132.—In pursuance of Sub-Section (3) of Section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Nowrosjee Wadia & Sons (Private) Limited under the said Act (Certificate of Registration No. 943/74).

[No. /28/81-M-III]
C. KHUSHAL DAS, Director

(विधि कार्य विभाग)

नई दिल्ली, 27 मई, 1982

सूचना

का०आ० 2133—मोटरीज नियम, 1956 के नियम 6 के प्रनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री चांदमल जैन, प्राधिकारी, 129-बी राजेंद्रमार्ग, बापुनगर, जयपुर ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक व्यावेतन इस बात के लिए दिया है कि उसे जयपुर में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति को नोटरी के रूप में नियुक्त पर किसी भी प्रकार का आवेदन इस सूचना के प्रकाशन के चौह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5(28)/82-न्या०]

के०सी०ई० गगानी, मक्षम प्राधिकारी

(Department of Legal Affairs)

New Delhi, the 27th May, 1982

NOTICE

S.O. 2133.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Chandmal Jain, Advocate, 129-B, Rajendra Marg, Bapunagar, Jaipur, Rajasthan for appointment as a Notary to practice in Jaipur.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(28)/82-Judl.]

K. C. D. GANGWANI, Competent Authority

गृह संशालय

नई दिल्ली, 1 जून, 1982

का० आ० 2132—संविधान के प्रत्युच्छेद 239 के खंड (1) के प्रनुसरण में, राष्ट्रपति एतद्वारा निर्देश देते हैं कि उनके नियन्त्रणाधीन रहने वाले तथा आवेदनों तक, अंडमान व निकोबार औपनिवड़, गोशा, दमग व द्वीप, लक्षद्वीप तथा पांचिचेरी संघराजामिल शेर्वों के प्रशासक संघित्रिन मध्य शासित शेत्र के संबंध में, मेर्टाइम जान्स फ्रांक इंडिया (राष्ट्रेश्वर फ्रांक फिशिंग बाइ फारेन बेसल) एक, 1981 की धारा 20 के प्रवाना राज्य सरकार की शक्तियों का प्रयोग करेंगे श्रीर उनके कृत्यों का निर्देश करेंगे।

[सं० य० 11030/1/82-य० टी० एन]

श्रीमती प्रमिला शंकर, प्रदर्श सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 1st June, 1982

S.O. 2134.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that subject to his control and until further orders, the Administrators of the Union territories of Andaman and Nicobar Islands, Goa, Daman and Diu, Lakshadweep and Pondicherry shall, in relation to the Union territory concerned, exercise the powers and discharge the functions of the State Government under section 20 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981.

[No. U-11030/1/82-UTL]

(Mrs.) PROMILA SHANKAR, Under Secy.

विद्या भंडासल्य

(राजस्व विभाग)

नई विल्ली, 12 अप्रैल, 1982

(प्राप्त-कर)

का० आ० 2135—केन्द्रीय सरकार, आपाकर प्रधिनियम, 1961 (1961 का 43) की धारा 80८ की उपधारा 2 (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “दि अम्मायिरुवाडी टेपल उत्तरकम गांथ (त्रिचुर जिला) केरल” को, उक्त धारा के प्रयोजनों के लिए केरल राज्य में संदर्भ विद्यात सांक पूजा का स्थान प्रधिसूचित करती है।

[स० 4575/का० स० 176/14/82-आ० क०ए- 1]
मिलाप जैन, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 17th April, 1982

(INCOME-TAX)

S.O. 2135.—In exercise of the powers conferred by sub-section (2)(b) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The Ammathiruvadi Temple, Urakam Village (Trichur District), Kerala” to be a place of public worship of renown throughout the State of Kerala.

[No. 4575/F. No 176/14/82-IT(AI)]
MILAP JAIN, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई विल्ली, 23 अप्रैल, 1982

का० आ० 2126—केन्द्रीय सरकार, राजसभा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में संसदन अनुबन्ध में सूचीबद्ध बैंकों की शावास्त्रों को, जिनके कर्मचारी-बृद्ध ने हिन्दी का कार्य साधक शान प्राप्त कर लिया है, प्रधिसूचित करती है।

अनुबन्ध

सेंट्रल बैंक भाफ इंडिया

1. अस्तर प्रबोध

1. हरयुगांग्रे

पिन 202125

जिला अलीगढ़

2. जट्टारी

पिन 202137

जिला अलीगढ़

3. भाष्य नगर

जिला इटावा

4. आमापुर

पिन 207241

जिला इटावा

5. बाद

मथुरा भाँयल रिकायनरी के पास

बाद, पिन 281001

जिला मथुरा

6. इगलास

तहसील रोड

इगलास 202124

जिला अलीगढ़

7. छर्हा

पिन 202130

जिला अलीगढ़

8. फतेहपुर सीकरी

कलार गांव 283110

जिला आगरा

9. कंचीपुरी बाजार

जिला हडावा

10. मुदादगांज

पिन 206129

जिला इगावा

11. आनंदपुर (उ०प्र०)

सेवर पार्क के सामने

आनंदपुर मार्ग

पोस्ट : ग्रोरीया

जिला इटावा

12. बकेवर

पिन 206124

जिला इटावा

13. इकदिल

जिला इटावा

14. पिलखुआ

जबाहर बाजार

पिलखुआ 245304

जिला गाजियाबाद

15. हरिद्वार

पौ०बा० 27

रेलवे मार्ग

पिन 249401

जिला सहारनपुर

16. सेहामी

मेरठ रोड

पौ० सेहामी

पिन 201001

जिला गाजियाबाद

17. शाहजहांपुर

ग्राम ब डा० शाहजहांपुर

पिन 250104

जिला मेरठ

18. भोपा

पिन 251308

जिला मुजफरनगर

19. शाहजहांपुर (उ०प्र०)

पिन 251318

जिला मुजफरनगर

20. छत्तारी

जिला मुर्दशहर

21. गढ़ मुक्तेश्वर

मण्डी जबाहर बंज

पिन 245205

जिला गाजियाबाद

22. बुलंदशहर
129, मुमोपाडा
झासारी रोड
बुलंदशहर : 203001
जिला बुलंदशहर

23. प्रिंस वाडी
बस स्टैंड के सामने
चक्राता रोड, पंचितवाडी
पोस्ट : प्रेम नगर 248007
जिला देहरादून

24. सल्यूकी
ग्राम बड़ा० सल्यूकी
जिला देहरादून

25. मुट्ठीगंज, इलाहाबाद
333, मुट्ठी गंज
इलाहाबाद-211003

26. रानीगंज
ग्राम रानीगंज
रेलवे स्टेशन ५ किमी
जिला प्रतापगढ़

27. चिल्काहार
ग्राम बड़ा० चिल्काहार
जिला बलिया

28. सारनाथ, वाराणसी
जिला वाराणसी
उत्तर प्रदेश

29. गंगापुर
पोस्ट : गंगापुर
जिला वाराणसी

30. विश्वेश्वर गंज
पोस्ट ब लिंक विश्वेश्वर गंज
तहसील : बहुराइज 271821
जिला बहुराइज

31. इसाहीम पट्टी
ग्राम ब पोस्ट : इसाहीम पट्टी
जिला बालिया

32. सोहांच
ग्राम ब डाक : सोहांच
जिला बलिया

33. रेवती
जिला बलिया

34. मंगारी बाजार
माताधीन मध्यवास का भकान
बालपुर
मंगारी 221202
जिला वाराणसी

35. नगरा
जिला बलिया

36. उम्नाव
मोतीनगर
उम्नाव 209801
जिला उम्नाव

37. ज्यालियर रोड, जासी
बुरेलीबंद लिंगी कालेज परिसर में
ज्यालियर रोड
जासी 474006
जिला जासी

38. नरहूट
नरहूट 284406
जिला लखितपुर

39. गुरसराय
ग्राम गुरसराय 284202
जिला जासी

40. रमुलाबाद
ग्राम रमुलाबाद 241503
जिला कानपुर

41. सरसोल
ग्राम सरसोल 209402
जिला कानपुर

42. बड़ागांव
श्री हूर ब्रह्माद पट्टोरी भवन,
द्रुष्ट भवन
बड़ागांव 284121
जिला जासी

43. बरुआसागर
ग्राम बरुआसागर 284201
जिला जासी

44. चिरगांव
ग्राम चिरगांव
जिला जासी

45. बिठूर
ग्राम बिठूर
रेलवे स्टेशन ब्रह्महर्ष—
(पूर्वोत्तर रेलवे) 209201
जिला कानपुर

46. चौबेपुर
जी०टी० रोड
ग्राम चौबेपुर 209203
जिला कानपुर

47. पाष्टुनगर
431/48-एच, पाष्टुनगर
कानपुर 208025
जिला कानपुर

48. पतकी
पतकी पावरहाउस कालीनी
डाक : पतकी पावर हाउस
कानपुर 208020
जिला कानपुर

49. सर्वेंदी
डाक : सर्वेंदी, 209304
जिला कानपुर,

50. मोरावा
ग्राम मोरावा 209821
जिला उन्नाव

51. मुमाय मार्ग सखनऊ
86, मुमाय मार्ग
सखनऊ 226003

52. चौक, सखनऊ
कमला नेहर मार्ग
चौक, सखनऊ-3

53. विवेकानन्द पौलीकलीनिक, सखनऊ
विवेकानन्द पुरम, सखनऊ,

54. दरियाबाद
ग्राम: दरियाबाद-225403
जिला बाराबंकी

55. बुढ़बल
बुढ़बल भीनी मिल लोक
बुढ़बल रेलवे स्टेशन
पो० बुढ़बल 225202
जिला बाराबंकी

56. बाराबंकी
537, रस्तापुर
बाराबंकी 226001
जिला बाराबंकी

57. बच्ची छा तालाब
जिला लखनऊ

58. लिकुनिया
जिला बेरी

59. हरदोई
रेलवे गंज
हरदोई 241001
जिला हरदोई

60. पीसीभीत
राजा राधरमन रोड
पीसीभीत 262001
जिला पीसीभीत

61. कोसी आजार
कोसी बाजार
पोस्ट हृष्णबाबा
जिला भस्तोड़ा

62. ठाकुरदारा,
पुलिस घाने के सामने
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63. गरमपानी
बरेली घलमोड़ा मार्ग
जिला मैनीसाल

64. मीरांज
जिला बरेली

65. पुरा बहादुर
ग्राम ब डाक-पुरा बहादुर
तहसील-हरदोई
जिला हरदोई

66. राम नगर
नवा लाइन
रामनगर
जिला नैनीताल

67. बिलासपुर
नैनीताल रोड
पुराना बिलासपुर
जिला रामपुर

68. बस्ती
बोधरी निवास
पाण्डे नगर
पुरानी बस्ती 272071
जिला बस्ती

69. पमागपुर
पमागपुर 271071
जिला बहराइच

70. मिठोरा
ग्राम ब डाक मिठोरा बाजार
तहसील महाराज गंज
जिला गोरखपुर

71. पड़ीराना
जिला देवरिया

72. गम्भासांज
(सहजनवा)
डाक सहजनवा
ग्राम गम्भासांज 272209
जिला गोरखपुर

73. कसया
जिला देवरिया

74. कप्तानगंज
जिला देवरिया

75. कटहरी
ग्राम कटहरी 224151
जिला फैजाबाद

76. गोसाईगंज
पोस्ट ग्राम गोसाईगंज
जिला फैजाबाद

77. गोंडा
डाक बारगांव 171001
जिला गोंडा
हरियाणा

78. काष्ठा
पोस्ट काष्ठा
जिला सोनीपत

79. रसोई
एटलस घाटो साइकिल इंडस्ट्रीज
जीटी० रोड
ग्राम रसोई
जिला सोनीपत

80. मुङाल,
ग्राम ब डाक मुङाल 125041
जिला खिंबासी

81. चण्डोली
पानीपत बरसात रोड
तहसील पानीपत
जिला करनाल

82. गधोली
पोस्ट सधारा
तहसील नरायणगढ़
जिला गढ़वाल

83. रत्तेशाली
तहसील नरायणगढ़
जिला गढ़वाल
त्रिमाचल प्रदेश

84. ऊना
छोटा यानी बाजार
ऊना 174303
जिला ऊना

85. नदीन
जसेरी बाजार नदीन 177033
जिला हमीरपुर

86. खासयोल
सरर बाजार
पोस्ट योल कैम्प
खासयोल 176052
जिला कांगड़ा
नई विल्सो

87. महरीली
महरीली बस स्टैंड के पास
VI, 963 महरीली
नई विल्सो 110030

88. कड़कड़ा
प्राम कड़कड़ा
पोस्ट शकरपुर
कड़ली 110092

89. मिलाव
घमता रोड
प्राम व पोस्ट मिलाव
नई विल्सो 110043

90. नांगल देवत, नई विल्सो
ग्राम नांगल देवत
गुडगांव रोड 110037

91. बदरपुर, नई विल्सो
150, बदरपुर भयुरा रोड
नई विल्सो 110044
राजस्थान

92. इंड्रप्रस्थ इंडरस्ट्रीयल एसिया, कोटा
इंड्रप्रस्थ इंडस्ट्रीयल एसिया
कोटा 324005
जिला कोटा

93. विकानगर, कोटा
2 के-29, विकाननगर
कोटा 324005
जिला कोटा

94. तारज
ग्राम व पोस्ट तारज
जिला झालावाड़
मध्य प्रदेश

95. अमझोर
पोस्ट-अमझोर
जिला राहडोल

96. जैतपुर
पोस्ट-जैतपुर
जिला राहडोल
मध्य प्रदेश

97. लखनपुर
तहसील-मन्दिरकापुर
जिला मरुजा

98. रामनुज नगर
पोस्ट-रामनुज नगर (श्रीनगर)
तहसील सूरजपुर
जिला सरगुजा

99. खड़गांव
पोस्ट-खड़गांव
तहसील मानेन्द्रगढ़
जिला सरगुजा

100. नर्वापुर
पोस्ट नर्वापुर 497111
तहसील सीतापुर
जिला सरगुजा

101. सोनहट
पोस्ट सोनहट
तहसील बैंकुठपुर
जिला सरगुजा

102. बागबहार
बागबहार, झालाक पत्थरगांव
तहसील-धर्मेन्द्रगढ़
जिला रायगढ़

103. बजाग
पोस्ट-बजाग
तहसील बिंडोरी
जिला मण्डला

104. बग्हनी बंजर
पोस्ट बग्हनी बंजर 481771
जिला मंडला

105. बेलार
पोस्ट बेलार
तहसील जगदलपुर
झालाक लोहड़ीगुज़ा
जिला बस्तर

106. चाबी
चाबी
झालाक मंडला
तहसील व जिला मण्डला

107. घरबोडा
पोस्ट घरबोडा 496111
जिला रायगढ़

108. भुधरी	तिरोडी
पोस्ट भुधरी	पोस्ट तिरोडी
जिला मण्डला	जिला बालाघाट
109. हिरण्येनगर	124. बारासेवनी
पैस्ट-हिरण्येनगर	पोस्ट बारासेवनी
जिला मण्डला	जिला बालाघाट
110. कोतवा	125. बिलिया
पोस्ट कोतवा	श्री गुरुबद्धा सिंह का मकान
तहसील धर्मजगद	पोस्ट भुपा बिलिया 481995
जिला रायगढ़	जिला मण्डला
111. लालबर्रा	126. गड्हसराय
पोस्ट लालबर्रा 481441	ब्लाक बजाग
जिला बालाघाट	तहसील डिलोरी
112. लांजी	जिला मण्डला
राजगांव रोड	बैक आफ महाराष्ट्र
पोस्ट लांजी	1. खेडी मावलीगढ़ माला
जिला बालाघाट	डाकघर खेडी मावलीगढ़
113. महकेपार	जिला बैतुल
महकेपार	मध्य प्रदेश राज्य
ब्लाक कटरी	2. खलघाट शाखा
तहसील बारासेवनी	बद्वई-प्रागरा मार्ग
जिला बालाघाट	डाकघर खलघाट
114. महैदवानी	जिला धार, मध्य प्रदेश राज्य
पोस्ट महैदवानी	3. परासिया शाखा
जिला मण्डला	डाकघर परासिया
115. मवाई	जिला ठिलवाड़ा
पोस्ट मवाई	मध्य प्रदेश राज्य
जिला मण्डला	4. राजोद शाखा
116. मोहगांव (धरेग)	तहसील सरदारपुर
मोहगांव	जिला धार, मध्य प्रदेश राज्य
ब्लाक लालबर्रा	5. गंडई शाखा
तहसील बारासेवनी	डाकघर गंडई
जिला बालाघाट	तहसील चौरागढ़
117. भोलगांव	जिला राजमंदगांव
(मण्डला)	मध्य प्रदेश राज्य
पोट मोहगांव	स्टेट बैक आफ सीराष्ट्र
जिला मण्डला	कानपुर
118. नैनपुर	1. स्टेट बैक आफ सीराष्ट्र
पोस्ट नैनपुर	93/145-146-नई सड़क
जिला मण्डला	मूल गंज चौराहा,
119. पत्थलगांव	कानपुर (उत्तर प्रदेश)
पत्थलगांव 496118	इंदौर
जिला रायगढ़	2. स्टेट बैक आफ सीराष्ट्र
120. पिहरई	लोहार पंज
पोस्ट पिहरई	चपा बाग ऐसोमियेशन का मकान
जिला मण्डला	मियांगंज 22, जवाहर मार्ग,
121. राजेगांव	इंदौर (मध्य प्रदेश)
राजेगांव	जयपुर
ब्लाक किरनापुर	स्टेट बैक आफ सीराष्ट्र
तहसील व जिला बालाघाट	खंडाका मेमन
122. मराईपानी	राजसंविर के पास
पोस्ट मराईपानी 493558	जयपुर (राजस्थान)
जिला रायपुर	

नई दिल्ली
स्टेट बैंक भाफ सीराष्ट्र
वीपक बिल्डिंग स० 13,
नेहरू प्लैस
नई दिल्ली
इंडियन ब्रोडरसीज बैंक

- इंडियन ब्रोडरसीज बैंक गोदावरी रोड
भैंडिंग 281501
मधुरा जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
मधुरा भागरा रोड
बाराती 281002
मधुरा जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
४७, भिक्षिल साइल्स
बरेली 243001
बरेली जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
प्लाट न० ५/३, अस्सारी रोड
बूलन्दशहर 203001
बूलन्दशहर जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
चिरोरी डाकघर 201102
गाजियाबाद जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
ई-४०७ कालेज रोड
गगोह 247341
सहारनपुर जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
कबरा मार्केट
गुरुदारा रोड
ज्ञालापुर 249407
सहारनपुर जिला
(उत्तर प्रदेश)
- इंडियन ब्रोडरसीज बैंक
मुरेश्वर नद सदन
इक ब तार कार्यालय मकान
दक्ष मार्ग कनकल 249408
सहारनपुर जिला
(उत्तर प्रदेश)
- इंडियन ब्रोडरसीज बैंक
७/१७८-स्वर्ग मगर
कालापुर 208002
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
१२१, बसत बिहार कालनी
न्य कारिन्ट डाकघर
देहरादून 248006
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
तारबरामांज, बैन बाजार,
लखमपुर शहर 262701
बीरी जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक, भेहाबत बस घटे के पास
महाल 281305
मधुरा जिला,
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
स्टेशन रोड, मुरादाबाद 244001
मुरादाबाद जिला,
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
ई०पी० १२६ इ
पश्चायत कार्यालय के सामने
गोव मुमारकपुर 301025
गलवर जिला
राजस्थान
- इंडियन ब्रोडरसीज बैंक
निहारा, गोव, नौण्डा डाकघर
गाजियाबाद जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
घिया मगर, इलाहाबाद जामपुर
गोड, फूलपुर 212404
इलाहाबाद जिला
उत्तर प्रदेश
- इंडियन ब्रोडरसीज बैंक
३५५, दिल्ली भाहरनपुर रोड
धीमानपुरा, शामली 247776
मुजफ्फरनगर जिला
उत्तर प्रदेश
- स्टेट बैंक भाफ बीकानेर एण्ड जबपुर
- ग्रामवर जिला
 - भ्रकवरसुरा
 - दरीबा प्रेजेक्ट
 - गोविन्दगढ़
 - मालाल्लेश्वर
 - मडावर
 - मान्धन
 - पर्वतापगढ़
 - गमपुर
 - शानागांवी
- ग्राममेर जिला
 - किशनगढ़ मिट्टी
 - मरवाड
 - श्रीनगर
- बासवाया जिला
 - बातीडारा
 - बहोविला

4. बाडमेर जिला

1. शायतू
2. बोहटन
3. धोरीमना
4. गुकामलानी
5. जामोल
6. कल्याणपुर
7. मोकलमर
8. पचकराग
9. पटोदी
10. राममर
11. शिव
12. सिंधरो
13. पद्म
14. सिवाना
15. कूवि, शाखा, सिवाना
16. ग्रामीण

5. भरनपुर जिला

1. बाडी
2. बसरी
3. कल्जोलीहन्म
4. राजाडेह
5. हपडाम
6. भीनवारा जिला
1. आमिद
2. बनेडा
3. जहाजपुर
4. कोटरी

7. बीकानेर जिला

1. उत्तरगढ
2. गग्नेर
3. हिमटमर
4. जाममर
5. जसरामर
6. कालू
7. महाजन
8. नापामर
9. पलाना
10. पूगाप
11. सेकमर
12. उदामर
13. उवराममर
14. बज्जू

8. बूंदी जिला

1. हिंडोली
2. पाटनकेशीगाय

9. वित्तोडगढ जिला

1. अकोला
2. अरनोड
3. बेंगू
4. भावेमर
5. गंगागर
6. गण्यम
7. मासमगढ
8. सावरियाजी मंडपिया

10. चुन जिला

1. मोमामर
2. माहबा
3. मालामर
4. माठवा

11. गंगानगर जिला

1. दंगरमहपुरा
2. फेकाना
3. गोलूबाला
4. लालगढ़ जादान
5. रामसिंहपुर
6. तिलबाला

12. गैसलमेर जिला

1. आम्बन
2. लाडी
3. नाजना
4. नोख
5. फलमूर
6. पोकरण

13. जयपुर जिला

1. आमेर
2. बेमवा
3. भाण्डारेज
4. आवमु
5. दूद
6. गीजगढ़
7. कालाडेश
8. खेजरोनी
9. मोजमाबाद
10. सोमोद्र
11. मिकराय
12. विराटनगर
13. मिकनदग

14. जालोर जिला

1. आहोर
2. बागरा
3. भीनमाल
4. भीनमाल/कुषि विकास शाखा
5. जसबास्तपुरा
6. गानीबाड़ा
7. सांकोर
8. माथला
9. उम्मेदवाबाद
10. मियाना

15. जालावाड़ जिला

1. अकमेरा
2. मिमरोली
3. पिरावा
4. शरलाई

16. जूसनू जिला

1. किरतना
2. गुदागोरजोका
3. उदयपुरबाटी
4. उदयपुरबाटी कुषि विकास शाखा

17 जोधपुर जिला

- 1 पिपासांटी
- 2 शेरगढ़
- 3 तितवारी

18 कोटा जिला

- 1 अटल
- 2 हरनवाडाजाहाजी
- 3 देलचाहा
- 4 छरीकाद
- 5 मांगरोल
- 6 मोहक
- 7 नाहरगढ़
- 8 पिपलदा
- 9 श्वायचा
- 10 सवगनिया
- 11 मांगोद
- 12 शहबाद

19 नागोर जिला

- 1 बाई
- 2 जायल
- 3 कोतिया
- 4 मारोट
- 5 मारवाडमुहूर्ता
- 6 गियाकारी

20 पाली जिला

1. आनन्दपुरकालू
- 2 बावरा
- 3 बागरी
- 4 देसरी
- 5 जीतारण
- 6 जोड़ावर
- 7 मारवाड ज़क्शन
- 8 नाना
- 9 निमज
- 10 पिपलियाकला
- 11 रोहट
- 12 सोमेश्वर
- 13 नकगढ़

21 सवाई माधोपुर जिला

- 1 चौकावरबाड़ा
- 2 गुडाचक्करजी
- 3 मेहबीपुर
- 4 नगोली

22 भीकर जिला

1. दानारामगढ़
- 2 बाटवामजी

23 निरोही जिला

- 1 असाड़ा
- 2 जावाल
- 3 कालनी
- 4 मतावर
- 5 माउन्ड आशू
- 6 रेवाड़र

7 रोतिला

- 5 मनगढ़

24 दोक जिला

- 1 धक्किगढ़ (उनियारा)
- 2 नमरदा

25 उदयपुर जिला

- 1 बडगांच
- 2 भदरगाना
- 3 इबोक
- 4 धरियाकढ़
- 5 गिलुस्थ
- 6 गोमुद्दा
- 7 खामनोर
- 8 तुन
- 9 कुनवारिया
- 10 महोर
- 11 गोमनमन्द (हिंदि विकास शास्त्रा)
- 12 रेलमगरा
- 13 रुडेग
- 14 सगडा
- 15 सायरा
- 16 शामला
- 17 बन्द्रभनगर
- 18 दिवेर
- 19 पारसोला
- 20 पलाना बृद्ध

2 देना बैक

- 1 शहपुर बर्मटा,
जिला गोजयाबाद
(उन्नर प्रदेश)
- 2 पकूला शास्त्रा,
जिला मेरठ
(उन्नर प्रदेश)
- 3 निगाहा शास्त्रा,
जिला सजनऊ
(उन्नर प्रदेश)
- 4 गोमनपुर शास्त्रा
जिला—गोमनपुर
(उन्नर प्रदेश)
- 5 बगला शाजाह शास्त्रा,
जिला—सजनऊ
(उन्नर प्रदेश)
- 6 बेराला शास्त्रा,
जिला—दुर्ग
(मध्य प्रदेश)
- 7 नगरी निहावा शास्त्रा,
जिला—गयपुर
(मध्य प्रदेश)
- 8 निलधा शास्त्रा,
जिला—रावपुर
(मध्य प्रदेश)

9 विधवा,
जिला राजनीदार
(मध्य प्रदेश)

10 यान समूहीय
जिला दृग
(मध्य प्रदेश)

11 भोजप्रीय कार्यालय
भोजप्र
(मध्य प्रदेश)

12 विकास प्रबन्धक का कार्यालय,
गायपुर
(मध्य प्रदेश)

3 मिडीकॉट बैंक

1. सिडीकॉट बैंक,
प्रादेशिक कार्यालय,
स्काइलाईं तोमरा तल
43, नेवल किंगोर राड,
लखनऊ 226001

2. सिडीकॉट बैंक
प्राक्तिक कार्यालय,
सरोजिनी हाउस
दृग तल,
भगवानदाम राड,
पो०बा०म० 7074,
नई दिल्ली 110002

4 इलाहाबाद बैंक

1 भोजप्रीय कार्यालय, लखनऊ
तजरबाजार, लखनऊ 226001

2 भोजप्रीय कार्यालय, बानपुर
मशात्मा गांधी राड,
पो०बा०म० 153,
कानपुर 208001

3 भोजप्रीय कार्यालय, मोतापुर
हरदोई रोड, पो०बा०म० 7,
मोतापुर 261001

4 भोजप्रीय कार्यालय मेरठ
55 दि माल
पो०बा०म० 123
मेरठ कैट, मेरठ 250001

5 भोजप्रीय कार्यालय, इलाहाबाद,
सिविल लाइन,
इलाहाबाद 210001

6 भोजप्रीय कार्यालय,
बाराणसी,
सी/ 21/ 4-ए मालदहिया,
बाराणसी 221001

7 धोवीय कार्यालय,
भापाल,
हमीरिया राड
भापाल 462001

8 भोजप्रीय कार्यालय,
चण्डीगढ़,

इलाहाबाद बैंक ब्रिलिंग,
सेक्टर प्लॉन, बैंक समूहीय,
सेक्टर 17 बा०
पो०बा०म० 105
चण्डीगढ़ 160017

9 अंतर्राष्ट्रीय कार्यालय,
नई दिल्ली
17, पालिग्रामेट स्ट्रीट,
पो०बा०म० 707,
नई दिल्ली 110001

हिंदियन बैंक

5 घन्तम्प कार्यालय
हिंदियन बैंक
1-ई लैंड्रेवलान रोड,
नई दिल्ली 110035

[म० ई-11017/4/82-हिन्दी]
दिल्ली प्रकाश साहनी, समूकन समिति

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 23rd April, 1982

S.O. 2136.—In pursuance of sub-rule 4 of rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the branches of the banks listed in the attached Annexure, the staff whereof have acquired the working knowledge of Hindi.

ANNEXURE

CENTRAL BANK OF INDIA

Uttar Pradesh

1. Hardua Gang
Pin Code 202125
District Aligarh.
2. Jaitali
Pin Code 202131
District Aligarh.
3. Bhagya Nagar
District Etawah
4. Amapur
Pin Code 207241
District Etawah.
5. Bad
Near Mathura Oil Refinery
Pin Code 281001
District-Mathura.
6. Igla
Tehsil Road
Igla 202124
District-Aligarh.
7. Chhara
Pin Code 202130
District-Aligarh.
8. Fatehpur Sikri
Kalaighali 283110
District-Agra.
9. Kanchaui Bazar
District-Etawah
10. Muradganj
Pin 206129
District-Etawah

11. Khanpur (U.P.)
Opp-Sewar Park
At Khanpur
Post Auraiya
District-Etawah.

12. Bakewar
Pin 206124
District-Etawah

13. Ekdil
District Etawah.

14. Pilkhuwa
Jawahar Bazar
Pilkhuwa 245304
District-Ghazlabad.

15. Haridwar
P.B. No. 27
Railway Road,
Pin 249401
District-Saharanpur.

16. Sehani
Meerut Road,
P.O. Sehani
Pin 201001
District-Ghaziabad.

17. Shahjanpur
Village & P.O. Shahjanpur
Pin 250104
District-Meerut.

18. Bhopa
Pin 251308
District-Muzaffarnagar.

19. Shahpur (U.P.)
Pin 251318
District-Muzaffarnagar.

20. Chhattari
District Bulandshahar.

21. Garimukteshwar
Mandi Jawahar Ganj
Pin 245205
District-Ghaziabad.

22. Bulandshahar
129, Munshipada
Ansari Road
Bulandshahar 203001
District-Bulandshahar.

23. Panditwari
Opposite to Bus Stand
Chakrata Road, Panditwari
Post Prem Nagar 248007
District-Dehradun.

24. Selakui
Village & Post Selakui
District-Dehradun.

25. Muthiganj, Allahabad
333, Muthiganj
Allahabad 211003.

26. Raniganj
Village Raniganj
Railway Station Daudpur
District-Pratapgarh.

27. Chilkahar
Village & Post Chilkahar
District-Ballia.

28. Satnath, Varanasi
District-Varanasi, U.P.

29. Gangapur
P.O. Gangapur
District-Varanasi

30. Bisheshwar Ganj
Post & Block Bisheshwarganj-271821
Tehsil-Bahraich
District-Bahraich.

31. Ibrahim Patti
Vill. & Post-Ibrahimpatti
District-Ballia.

32. Sohaon
Village & Post Sohaon
District-Ballia.

33. Reoti
District Ballia.

34. Mangati Bazar
Bldg. of Shri Mata Din Agrawal
Babatpur
Mangri 221202
District-Varanasi.

35. Nagra
District Ballia.

36. Unnao
Motinagar
Unnao 209801
District Unnao.

37. Gwalior Road, Jhansi
Inside the Premises of
Bundelkhand Degree College
Gwalior Road
Jhansi 474006
Jhansi (District).

38. Narhat
Narhat-284406
District Lalitpur.

39. Gursarai
Vill. Gursarai 284202
District Jhansi.

40. Rasulabad
Vill. Rasulabad 241603
District Kanpur.

41. Sarsaul
Vill. Sarsaul 209402
District Kanpur.

42. Baragaon
Shri Har Prasad Pachoriya
Bhavan Trust Building
Baragaon 284201
District Jhansi.

43. Baruasagar
Vill. Baruasagar 284201
District Jhansi.

44. Chirgaon
Village Chirgaon
District Jhansi

45. Bithoor
Vill. Bithoor
Railway Station Brahmavart
(N.E. Rly)-209201
District Kanpur.

46. Choubepur
G.T. Road
Vill. Choubepur 209203
District Kanpur.

47. Pandunagar
431/48-H, Pandunagar
Kanpur 208025
District Kanpur.

48. Panki
Panki Power House Colony
P.O. Panki Power House
Kanpur 208020
District Kanpur.

49. Sachendi
P.O. Sanchendi, 209304
District Kanpur.

50. Maujanwan
Vill. Maujanwan 209821
District Unnao.

51. Subhash Marg, Lucknow
86, Subhash Marg
Lucknow 226003.

52. Chowk, Lucknow
Kamla Nehru Marg,
Chowk, Lucknow-3.

53. Vivekanand Polyclinic, Lucknow
Vivekanandpuram, Lucknow.

54. Dariyabad
Vill. Dariyabad 225403
District Barabanki.

55. Burhwal
Burhwal Sugar Mill Area
Burhwal Railway Station
P.O. Burhwal 225202
District Barabanki.

56. Barabanki
537, Rasoolpur
Barabanki 225001
District Barabanki.

57. Bakshi Ka Talab
District Lucknow.

58. Tikunia
District Kheri.

59. Hardoi
Railwayganj
Hardoi-241001
District Hardoi.

60. Pilibhit
Raja Radharaman Road,
Pilibhit 262201
District Pilibhit.

61. Kosi Bazar
Kosi Bazar
P.O. Hawalbagh
District Almora.

62. Thakurdwara
Opp. Police Thana
District Muradabad.

63. Garampani
Bareilly Almora Marg
District Nainital.

64. Meer Ganj
District Bareilly

65. Pura Bahadur
Vill. P.O. Pura Bahadur
Tehsil Hardoi
District Hardoi.

66. Ram Nagar
Nanda Line
Ram Nagar
District Nainital.

67. Bilaspur
Nainital Road
Juna Bailaspur
District Rampur.

68. Basti
Chaudhari Niwas
Pandey Nagar
Purani Basti,
Basti 272001
District Basti.

69. Payagpur
Payagpur 271071
District Bahraich

70. Mithaura
Vill. & P.O. Mithaura Bazar
Teh. Maharaj Ganj
District Gorakhpur.

71. Padrauna
District Deoria.

72. Ganhasand
(Sahjanwa)
P.O. Sahjanwa
Vill. Gannasand 272209
District Gorekhpur

73. Kasia
District Deoria

74. Keptanganj
District Deoria.

75. Katehali
Vill. Katehali 224151
District Faizabad

76. Gosalganj
P.O. Gosaiganj
District Faizabad.

77. Gonda
P.O. Bargaon 171001
District Gonda.

78. Khanda
P.O. Khanda
District Sonepat.

79. Rasoi
Atlas Auto Cycle Industries
G T Road,
Vill. Rasoi
District Sonepat.

80. Mundhal
Vill. & V.O. Mundhal 125041
District Bhiwani.

81. Chandoli
Panipat Barsar Road
Tehsil—Panipat
District Karnal.

82. Gadhauli
P.O. Sadhaura
Tehsil—Naraingarh
District Ambala.

83. Rattewali
Tehsil Naraingarh
District Ambala.

84. Una
Lower Mani Bazar
Una 174303
District Una.

85. Nadaun
Jaseri Bazar
Nadaun 177033
District Hamirpur.

86. Khasyal
Sadar Bazar
P.O. Yol Camp
Khasyal 176052
District Khangara

87. Mehrauli
Adjacent to Mehrauli Bus stand
VI, 963, Mehrauli
New Delhi 110030.

88. Karkardooma
Vill. Karkardooma
P.O. Shakarpur
Delhi 110092.

HIMACHAL PRADESH

84. Una
Lower Mani Bazar
Una 174303
District Una.

85. Nadaun
Jaseri Bazar
Nadaun 177033
District Hamirpur.

86. Khasyal
Sadar Bazar
P.O. Yol Camp
Khasyal 176052
District Khangara

NEW DELHI

87. Mehrauli
Adjacent to Mehrauli Bus stand
VI, 963, Mehrauli
New Delhi 110030.

88. Karkardooma
Vill. Karkardooma
P.O. Shakarpur
Delhi 110092.

89. Mitraw
Jhansi Road
Vill. Post Mitraw
New Delhi 110043

90. Nangal Dewat, New Delhi
Vill. Nangal Dewat
Gurgaon Road 110037

91. Badarpur, Ntw Delhi
150, Badarpur Mathura Road,
New Delhi 110044

RAJASTHAN

92. Indrapastha Industrial Area, Kotah
Indraprastha Industrial Area Kotah 324005
District Kotah

93. Vigyan Nagar, Kotah
2K—29, Vigyan Nagar
Kotah 324005
District Kotah

94. Tarej
Vill. & Post Tarej
District Jhalawar
Madhya Pradesh

95. Amjhor
P.O. Amjhor
District Shahdol

96. Jaitpur
P.O. Jaitpur
District Shadol
Madhya Pradesh

97. Lakhapur
Tehsil—Ambikapur
District Surguja

98. Ramanuj Nagar
P.O. Ramanuj Nagar (Srinagar)
Tehsil Surajpur
District Surguja

99. Khadagwan
P.O. Khadagwan
Tehsil—Manendragarh
District Surguja

100. Narbadapur
P.O. Narbadapur 497111
Tehsil—Sitapur
District Surguja

101. Sonhat
P.O. Sonhat
Tehsil Baiknthur
District Surguja

102. Bag Bahar
Bag Bahar, Block pathalgaon
Tehsil—Dharmajaigarh
District Raigarh

103. Bajag
P.O. Bajag
Tehsil Dindori
District Mandla

104. Bamhani Banjar
P.O. Bamhani Banjar 481771
District Mandla

105. Belar
P.O. Belar
Tehsil—Jagdalpur
Block Lohandiguda
District Baster

106. Chabi
Chabi
Block Mohagaon
District Mandla

107. Gharghoda
P.O. Gharghoda 496111
District Raigarh

108. Ghugri
P.O. Ghugri
District Mandla

109. Hirdenagar
P.O. Hirdenagar
District Mandla

110. Kotba
P.O. Kotba
Tehsil—Dharmajaigarh
District Raigarh

111. Lalburra
P.O. Lalburra 481441
District Balaghat

112. Lanji
Rajegaon Road
P.O. Lanji
District Balaghat

113. Mahakepur
Mahakepar
Block Katangi
Tehsil Varaseoni
District Balaghat

114. Mahedwani
P.O. Mahedwani
District Mandla

115. Mawai
P.O. Mawai
District Mandla

116. Mohgaon (Dhaperia)
Mohgaon
Mohgaon
Block Lalburra
Tehsil Varaseoni
District Salaghat

117. Mohgaon
P.O. Mohagaon
District Mandla

118. Nainpur
P.O. Nainpur
District Mandla

119. Pathalgaon
Pathalgaon 496118
District Raigarh

120. Pindrai
P.O. Pindrai
District Mandla

121. Rajegaon
Rajegaon
Block Kirnapur
Tehsil & District Balaghat

122. Saraiptali
P.O. Saraiptali 493558
District Ranipur

123. Tirodi
Post Tirodi
District Balaghat.

124. Varaseoni
Post Varaseoni
District Balaghat

125. Bichhiya
Shri Gugubaksh Singh's House
P.O. Bhua Bichhiya 481995
District Mandla.

126. Gadasarai
Block Bajag
Tehsil Dindori
District Mandla.

Bank of Maharashtra

1. Dhedi Sawaligath, Branch
Post Office-Khedi Sawaligath
District, Betul, Madhya Pradesh.

2. Khalghat Branch, Bombay-Agra Road, Post Office, Khalghat District Dhar, Madhya Pradesh.
3. Parasia Branch Post Office-Parasia District Chhindwara, M.P.
4. Rajod Branch Tehsil-Sardarpur District, Dhar, Madhya Pradesh.
5. Gandai Branch Post Office Gandai Tahsil-Kairagarh District Rajnandgaon Madhya Pradesh.

State Bank of Saurashtra

KANPUR

State Bank of Saurashtra
93/145-146
Nai Sarak Mool Ganj Chouraha
Kanpur (U.P.).

INDORE

State Bank of Saurashtra
Lohar Punc,
Champa Baag, Association's House
Building 22, Jawahar Marg,
Siyaganji, Indore (M.P.).

JAIPUR

State Bank of Saurashtra
Khandaka Mansion,
Nr. Rajmandir,
Jaipur (Rajasthan State).

NEW DELHI

State Bank of Saurashtra
'Deepak' 662140 Bldg. No. 13,
Nehru Place,
New Delhi 110019.

Indian Overseas Bank

1. Indian Overseas Bank
Goverdan Road,
Aring-281 501
Mathura District,
Uttar Pradesh.
2. Indian Overseas Bank
Mathura-Agra Road,
Barari-281002
Mathura District,
Uttar Pradesh.
3. Indian Overseas Bank
47, Civil Lines,
Bareilly-243001
Bareilly District,
Uttar Pradesh.
4. Indian Overseas Bank
Plot No. 5/3, Ansari Road,
Bulandshar-203001
Bulandshar District,
Uttar Pradesh.
5. Indian Overseas Bank
Chirori P.O. 201102
Ghaziabad District
Uttar Pradesh.
6. Indian Overseas Bank
E-407, College Road,
Gangoh 247341
Saharanpur District
Uttar Pradesh.

7. Indian Overseas Bank,
Kathara Market,
Gurudwara Road,
Jwalapur-249407
Saharanpur District
Uttar Pradesh.
8. Indian Overseas Bank
Sureshwara Nand Sadan,
Post & Telegraph Office Bldg.
Daksh Marg, Kankhal 249408
Saharanpur District,
Uttar Pradesh.
9. Indian Overseas Bank,
7/178, Swaroop Nagar
Kanpur-208002
Uttar Pradesh.

10. Indian Overseas Bank
121, Vasant Vihar, Kanwli
New Forest P.O.
Dehra Dun-248006
Uttar Pradesh.

11. Indian Overseas Bank,
Thaibaranganj, Main Bazar
Lakhimpur City-262701
Kheri District, Uttar Pradesh.

12. Indian Overseas Bank,
Near Mahaban Bus Stand
Mahaban-281305
Mathura District, U.P.

13. Indian Overseas Bank
Station Road,
Moradabad 244001
Moradabad District,
Uttar Pradesh.

14. Indian Overseas Bank
E.P. 126-A,
Opposite Panchayat Office
Village Mubarakpur-301025
Alwar District, Rajasthan.

15. Indian Overseas Bank,
Nihari Village, Noida P.O.
Ghaziabad District
Uttar Pradesh.

16. Indian Overseas Bank,
Ghia Nagar, Allahabad
Jaunpur Road, Phulpur-212404
Allahabad District
Uttar Pradesh.

17. Indian Overseas Bank
355, Delhi Saharanpur Road
Dhimanpura, Shamli-247776
Muzaffar Nagar District,
Uttar Pradesh.

ANNEXURE

State Bank of Bharaner & Jaipur

AIWAR DISTRICT

1. Akbarpura
2. Dariba Project
3. Govindgarh
4. Lachhamangarh
5. Malakhera
6. Mandawar
7. Mandhan
8. Partupgarh
9. Rampur
10. Thanagazi

AJMER DISTRICT

1. Kishangarh City
2. Sarwar
3. Shreenagar

BANSWARA DISTRICT

1. Bagidora
2. Barodia

BARMER DISTRICT

1. Baitu
2. Chohtan
3. Dhorimana
4. Gudamalani
5. Jasol
6. Kalyanpur
7. Mokalsar
8. Pachpadra
9. Patodi
10. Ramsar
11. Sheo
12. Sindharl
13. Padroo
14. Siwana
15. Siwana (A.D.E.)
16. Ajet

BHARATPUR DISTRICT

1. Bari
2. Baseri
3. Kanjoli Lines
4. Rajakhera
5. Roopbas

BHILWARA DISTRICT

1. Asind
2. Banera
3. Jahajpur
4. Kotri

BIKANER DISTRICT

1. Chittargarh
2. Gajner
3. Himatsar
4. Jamsar
5. Jasrasar
6. Kaloo
7. Mahajan
8. Napsar
9. Palana
10. Pugal
11. Shaikhsar
12. Udasar
13. Udranser
14. Bajju

BUNDI DISTRICT

1. Hindoli
2. Patan Keshorai

CHITTORGARH DISTRICT

1. Akola
2. Amod
3. Begun
4. Bhadesar
5. Gangrar
6. Rashmi
7. Salamgarh
8. Sanwariaji Mandapiya

CHURU DISTRICT

1. Momasar
2. Sahaba
3. Salasar
4. Sandwa

GANGANAGAR DISTRICT

1. Dungarsinghpura
2. Phephana
3. Goluwala
4. Lalgarh Jatan

5. Ramsinghpur
6. Silwala

JAISALMER DISTRICT

1. Chandhan
2. Lathi
3. Nachna
4. Nokh
5. Phalsoond
6. Pokaran

JAIPUR DISTRICT

1. Amber
2. Baswa
3. Bhandarei
4. Chaksu
5. Dudu
6. Geejgarh
7. Kaladera
8. Khejroli
9. Mozmabad
10. Samode
11. Sikrai
12. Viratnagar
13. Sikandra

JALORE DISTRICT

1. Ahore
2. Bagra
3. Bhinmal
4. Bhinmal Agr. Dev. Branch
5. Jaswantpura
6. Raniwara
7. Sanchore
8. Sayala
9. Ummedadbad
10. Siyana

JHALAWAR DISTRICT

1. Aklera
2. Mishroli
3. Pirawa
4. Ratlai

JHunjhune DISTRICT

1. Chirana
2. Gudhagorjika
3. Udaipurwati
4. Udaipuri (ADB)

JODHPUR DISTRICT

1. Pipar City
2. Shergarh
3. Tinwari

KOTA DISTRICT

1. Atru
2. Harnawadashahji
3. Kelwara
4. Khairabad
5. Mangrol
6. Morak
7. Nahargarh
8. Pipalda
9. Palaytha
10. Samrania
11. Sangod
12. Shahbad

NAGPUR DISTRICT

1. Badu
2. Jael
3. Kolla
4. Maroth
5. Marwaramundwa
6. Riyana-badi

PALI DISTRICT

1. Anandpurkala
2. Babra
3. Bagri
4. Desuri
5. Jaltaran
6. Jojawar
7. Marwar Jn.
8. Nana
9. Nimaj
10. Pipalian-kalan
11. Rohat
12. Somesar
13. Thakhatgarh

SAWAIMADHOPUR DISTRICT

1. Chouthka Barwara
2. Gudhachandarji
3. Mehandipur
4. Naroli

SIKAR DISTRICT

1. Danta Ramgarh
2. Khatoo Shyamji

SIROHI DISTRICT

1. Anadra
2. Jawal
3. Kalandri
4. Manadar
5. Mount Abu
6. Reodhar
7. Rohida
8. Saroonganj

TONK DISTRICT

1. Aligarh (Unia)
2. Nasarda

UDAIPUR DISTRICT

1. Badgaon
2. Bhabrana
3. Dabok
4. Dhariawad
5. Gilund
6. Gogunda
7. Khamneur
8. Kun
9. Kunwaria
10. Majhera
11. Rajsamand (Agr. Dev. Br.)
12. Relmagra
13. Rundera
14. Sarada
15. Sayara
16. Thamla
17. Vallabhanagar
18. Diver
19. Parsala
20. Palana Khurd

DENA BANK

1. Shahpur-Bamata Branch, District-Ghaziabad, Uttar Pradesh.
2. Pophunda branch, District-Meerut, Uttar Pradesh.
3. Nigohan branch, District-Lucknow, Uttar Pradesh.
4. Gorakhpur branch, District-Gorakhpur, Uttar Pradesh.

5. Bangla Bazar branch, District-Lucknow, Uttar Pradesh.

6. Berla branch, District-Durg, Madhya Pradesh.

7. Nagri Sihawa branch, District-Raipur, Madhya Pradesh.

8. Tilda branch, District-Raipur, Madhya Pradesh.

9. Piparia, District-Rajnandgaon, Madhya Pradesh.

10. Thank Lamaria, District-Durg, Madhya Pradesh.

11. Regional Office, Bhopal, Madhya Pradesh.

12. Office of the Development Manager, Raipur, Madhya Pradesh.

SYNDICATE BANK

1. Syndicate Bank, Regional Office, Skylark, IIIrd floor, 43, Neval Kishore Road, Lucknow-226001

2. Syndicate Bank, Zonal Office, Sarojini House, Second Floor, Bhagwandas Road, Post Box No. 7074, New Delhi-110002.

ALLAHABAD BANK

1. Regional Office, Lucknow, Hazratganj, Lucknow-226001.

2. Regional Office, Kanpur, Mahatma Gandhi Road, Post Box No. 153, Kanpur-208001.

3. Regional Office, Sitapur, Hardoi Road, Post Box No. 7, Sitapur-261001.

4. Regional Office, Meerut, 55, The Mal, Post Box No. 123, Meerut Cantt, Meerut-2500011.

5. Regional Office, Allahabad, Civil Lines, Allahabad-210001.

6. Regional Office, Varanasi, C/21/4-A Maldahiya, Varanasi-221001.

7. Regional Office, Bhopal, Hamidia Road, Bhopal-462001.

8. Regional Office, Chandigarh, Allahabad Bank Building, Second Floor, Bank Square, Section 17-B, Post Box No. 105, Chandigarh-160017.

9. Regional Office,
New Delhi,
17, Parliament Street,
Post Box No. 707,
New Delhi-110001.

5 INDIAN BANK

The Zonal Office,
Indian Bank, 1-E, Jhandewalan,
New Delhi-110055.

[No. F-11017/2/82-Hindi]

V. P. SAWHNEY, Lt. Secy.

नई दिल्ली, 27 मई, 1982

का० आ० 2137.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतदद्वारा उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध 5 तबस्तर, 1983 तक ग्रिन्डलैंड बैंक लिमिटेड, कलकत्ता पर उस सीमा तक लागू उस सीमा तक लागू नहीं होगी जहाँ तक कि इनका सम्बन्ध कलकत्ता स्टीम नेवीगेशन कम्पनी लिमिटेड में लेजी के रूप में 30 प्रतिशत के अधिक शेयरों की वारिता से है।

[संख्या 15/8/82-बी० आ०-III]

New Delhi, the 27th May, 1982

S.O. 2137.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve of India, hereby declares that the provisions of sub-section (2) of Section 19 of the said Act shall not apply to the Grindlays Bank p.l.c., Calcutta, upto the 5th November, 1983 in so far as they relate to its holding of more than 30 per cent shares in the Calcutta Steam Navigation Co. Ltd., as pledgee.

[No. 15/8/82-BO. III]

का० आ० 2138.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतदद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध 30 मई, 1983 तक यूनाइटेड बैंक आफ इंडिया, कलकत्ता पर उस सीमा तक लागू नहीं होगी जहाँ तक इनका सम्बन्ध पोपलस इंजीनियरिंग एंड मोटर वर्क्स लिमिटेड में लेजी के रूप में इसकी शेयरों की वारिता से है।

[संख्या 15/9/82-बी० आ०-III]

S.O. 2138.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply to the United Bank of India, Calcutta upto the 30th May, 1983 in respect of the shares of the People's Engineering & Motor Works Ltd., held by it, as pledgee.

[No. 15/9/82-B. O. III]

नई दिल्ली, 29 मई, 1982

का० आ० 2139.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतदद्वारा यह घोषणा करती है कि उक्त अधिनियम की दीवारी अनुसूची के फार्म 'F' के माध्यम सलन टिप्पणी (ज) के उपबंध, 31 दिसम्बर, 1981 की स्थिति के अनुसार तैयार किये गये यूनाइटेड बैंक आफ इंडिया के तुलन पक्ष पर लागू नहीं होंगे जो कि उक्त फार्म की सम्पत्ति तथा परिसम्पत्ति शीर्ष की मद 4 के उपबोर्प (ii), (iii), (iv) और (v) के माध्यमे अंदर के कालिम में विलोग गये मूल्य के उप उपशीर्ष के अन्तर्गत निवेशों के बाजार मूल्य से बड़े जाने पर उस उपशीर्ष के अन्तर्गत किये गये निवेशों का बाजार मूल्य कोल्डों के अद्वारा घोषणा से विद्याता है।

[सं० 15/2/82- बी० आ० -III]
ए० डी० ब्रामा, अवर मंत्री

New Delhi, the 29th May, 1982

S.O. 2139.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the Form 'A' in the Third Schedule to the said Act shall not apply to the United Bank of India in respect of its balance-sheet as on the 31st December, 1981 which when the value shown in the inner column against any of the sub-heads (ii), (iii), (iv) and (v) of the item 4 of the Property and Assets side of the said Form exceeds the market value of the investments under that sub-head, shows separately within brackets the market value of the investments under that sub-head.

[No. 15/2/82-B. O. III]
N. D. BATRA, Under Secy.

प्रतिरक्षण अंतरालम्

नई दिल्ली, 12 जून, 1982

का० आ० 2140.—केन्द्रीय राजकार, नियन्त्रित (क्वालिटी नियंत्रण और नियंत्रण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नियन्त्रित नियंत्रण परिपद् मूल्य तथा सेवा निवृत्ति उपदान नियम, 1981* का संशोधन करने के लिए नियन्त्रित नियम बनाती है, अधिकृत।

- (1) इन नियमों का संक्षिप्त नाम नियन्त्रित नियंत्रण परिपद् मूल्य तथा सेवा निवृत्ति उपदान (संशोधन) नियम, 1982 है।
- (2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।
- नियन्त्रित नियंत्रण परिपद् मूल्य तथा सेवा निवृत्ति नियम, 1981 में—
- (i) नियम 2 के खण्ड (अ) में, नियन्त्रित व्यापारीकरण जारी जाएगा, अर्थात्—

“स्पष्टीकरण”

इस नियम के प्रयोग के लिए, पूर्ण नियंत्रण से ऐसी नियन्त्रण क्षमिता है जो किसी कर्मचारी को उप कार्य के लिए, जिसे वह तुष्टिनाया या उस शारीरिक या मानसिक प्रशंसनात्मक बोमारी के पूर्व, जिसमें यह नियन्त्रण हुई है, करने के योग्य था, अयोग्य बनाती है।

परन्तु किसी कर्मचारी को स्थायी रूप से नियन्त्रण शोषित करने के बारे में विचार करने के लिए, नवेन्द्र लिलित रूप से कार्यान्वय या विभाग के अध्यक्ष को किया जाना चाहिए, और उपके साथ अधिकारियों के माध्यमे में जिनके पद का अधिकानम बेसनमान 900 लघुये या उससे अधिक है, विकिस्ता बोर्ड से, और अन्य मामलों में समतुल्य थेजी के शिविल मर्जन या जिला विकिस्ता बोर्ड या विकिस्ता अधिकारी से और महिला कर्मचारियों के मामल में विकिस्ता बोर्ड की सदस्या के रूप में सम्मिलित महिला विकिस्ता से प्राप्त चिकित्सा प्रमाण-पत्र मानस्त किया जाना चाहिए।”

(ii) नियम 11 में निम्ननिवित्त जोड़ा जाएगा, अर्थात् :—

“परन्तु परिषद् का कर्मचारी इन नियमों के निर्वचन से संबंधित मामलों में केन्द्रीय सरकार को अपील कर सकता है जिसका विनिश्चय अनियम होगा।”

*पाद टिप्पणि सं. का० आ० 1607 तारीख 30-5-1981

[फ० स० 3(12)/76 निं० तथा निं० उ०]

MINISTRY OF COMMERCE

New Delhi, the 12th June, 1982

S.O. 2140.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export Inspection Council Death-cum-Retirement Gratuity Rules*, 1981, namely :—

1. (1) These rules may be called the Export Inspection Council Death-cum-Retirement Gratuity (Amendment) Rules, 1982.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Export Inspection Council Death-cum-Retirement Gratuity Rules, 1981,—

(i) to clause (i) of rule 2, the following Explanation shall be added, namely :—

“Explanation :—

For the purpose of this rule, total disablement means such disablement as incapacitates an employee for the work which he was capable of performing before the accident or disease either bodily or mental infirmity resulting in such disablement :

Provided that such requests for considering an employee to be declared as permanently disabled should be made in writing to the Head of Office or Department together with a medical certificate from the Medical Board in the case of officers whose maximum scale of pay of the post is Rs. 900 and above and in other cases Civil Surgeon or District Medical Board or Medical Officer of equivalent rank and in case of female employee, a lady doctor shall be included as a member of the Medical Board”.

(ii) to Rule 14, the following Proviso shall be added, namely :—

“Provided that the Council employee may appeal against matters relating to the interpretation of these rules to the Central Government whose decision shall be final.”

*Foot Note.—S.O. 1607, dated 30th May, 1981.

[F. No. 3(12)/76-EI&EP]

का० आ० 2141.—केन्द्रीय सरकार, नियर्ति (भालिटी नियंत्रण और नियंत्रण, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नियर्ति नियंत्रण अधिकरण, मृत्यु तथा सेवा निवृत्ति उपदान नियम, 1981* का संशोधन करने के लिए निम्ननिवित्त नियम बनाते हैं, अर्थात् —

1. (1) इन नियमों का संक्षिप्त नाम नियर्ति नियंत्रण अधिकरण, मृत्यु तथा सेवा निवृत्ति उपदान (संशोधन) नियम, 1982 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रमूल होगे।

2. नियर्ति नियंत्रण अधिकरण मृत्यु तथा सेवा निवृत्ति उपदान नियम, 1981 में,—

(i) नियम 2 के खण्ड (आ) में निम्ननिवित्त संशोधन जोड़ा जाएगा, अर्थात् :—

“संशोधन ...”

इस नियम के प्रयोजन के लिए, पूर्ण नियंत्रण से नेत्री नियंत्रण से अभिप्रेत है जो किसी कर्मचारी को उस कार्य के लिए, जिसे वह मुर्खटना या उम यारीपक या मानसिक प्रश्नकलना मन्दी बीमारी से पूर्ण, जिससे वह नियंत्रण द्वारा हृदय, कानों के योग्य था, अदीय बनाती है :

परन्तु किसी कर्मचारी को स्थायी रूप से नियंत्रण घोषित करने के बारे में विचार करने के लिए, निवेदन लिखित रूप में कार्यालय या विभाग के प्रधान को किया जाना चाहिए और उसके साथ मामले में जिसके पद का प्रधिकरण वेतनमान 900 रुपये या उससे अधिक है, विकित्सा बोर्ड से, और अन्य मामलों में समतुल्य ब्रेंड के तिलिंग सर्जन या जिला चिकित्सा बोर्ड या चिकित्सा अधिकारी से और महिला कर्मचारियों के मामले में चिकित्सा बोर्ड की सदस्यों के रूप में सम्मिलित महिला विकित्सक से प्राप्त चिकित्सा प्रमाण-पत्र सलग किया जाना चाहिए।”

(ii) नियम 14 में निम्ननिवित्त जोड़ा जाएगा, अर्थात् :—

“परन्तु अधिकरण कर्मचारों इन नियमों के निर्वचन से संबंधित मामलों में केन्द्रीय सरकार को अपील कर सकता है जिसका विनिश्चय अनियम होगा।”

*पाद टिप्पणि—सं. का० आ० 1608 तारीख 30-5-1981

[स० 3(12)/76-निं० तथा निं० उ०)]

स० प्रकाश, प्रबंध सचिव

S.O. 2141.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export Inspection Agency Death-cum-Retirement Gratuity Rules, *1981, namely :—

1. (1) These rules may be called the Export Inspection Agency Death-cum-Retirement Gratuity (Amendment) Rules, 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export Inspection Agency Death-cum-Retirement Gratuity Rules, 1981,—

(i) to clause (i) of rule 2, the following Explanation shall be added, namely :—

“Explanation :—

For the purpose of this rule, total disablement means such disablement as incapacitates an employee for the work which he was capable of performing before the accident or disease either

bodily or mental infirmity resulting in such disablement:

"Provided that such requests for considering an employee to be declared as permanently disabled should be made in writing to the Head of Office or Department together with a medical certificate from the Medical Board in the case of officers whose maximum scale of pay of the post is Rs. 900 and above and in other cases Civil Surgeon or District Medical Board or Medical Officer or equivalent rank and in case of female employees, a lady doctor shall be included as a member of the Medical Board."

(ii) to Rule 14, the following Proviso shall be added namely:—

"Provided that the Agency employee may appeal against matters relating to the interpretation of these rules to the Central Government whose decision shall be final."

*Foot Note.—S.O. 1608 dated 30th May, 1981.

[F. No. 3(12)/76-EI&EP]
S. PRAKASH, Under Secy.

वार्षिक राजालय
नियंत्रक, आयात-नियंत्रण कार्यालय

कटक, 19 अप्रैल, 1982

विषय: सर्वश्री उत्तरकाल एवं इन्डस्ट्रीज आ० टी० गोड, बालासोर, उडीमा को जारी किए गए 5,60,000 रु० के आयात लाइसेंस सं० पी०/एस/1868697/सी/एक्स/78/0/80 [दिनांक 24-3-1981 की रद्द करना]:

का० आ० 2142 --सर्वश्री उत्तरकाल एवं इन्डस्ट्रीज, आ० टी० गोड, बालासोर, उडीमा को 5,60,000 रु० के आयात लाइसेंस सं० पी०/एस/1868697/सी/एक्स/78/0/80 दिनांक 24-3-1981 ग्राहील-मार्ज के लिए आयात नीति पर परिशिष्ट - 5 में दिए गए अनुमेय कार्यों माल उपस्कर और उपभोज्य के लिए पोलीथीन पाइपों के प्रतिम उत्पादनों, फिल्म और चैले, पी० सी० सी०, पाइपों, सैनेटी फिल्टर्स और औद्योगिक उपस्करों का आयात करने के लिए प्रदान किया गया था।

उन्होंने उपर्युक्त लाइसेंस की अनुलेपि (दोनों मुद्रा विनिमय नियंत्रण और सीमांशुलक प्रयोजन प्रति) जारी करने के लिए इस आधार पर आवेदन किया है कि उपर्युक्त लाइसेंस की मूल प्रति किसी भी सीमा शुल्क अधिकारी के पास पंजीकृत कराया जिन और त्रिनि किसी प्रकार के उपरोक्त किए ही थोंग गई अवधि, अस्थानस्थ हो गई है। उन्होंने इस संबंध में आयात-नियांत्रण क्रिया-विधि पुस्तक 1981-82 के पैरा 351 व 352 के अनुसार अपेक्षित गणधर-पक्ष भी दखिल किया है तथा अनुरोध किया है कि 5,60,000 रु० की सीमा, तक लाइसेंस की अनुलेपि जारी की जाए।

ग्राहोहस्त-क्षरी इससे सन्तुष्ट है कि लाइसेंस सं० पी०/एस/1868697/सी/एक्स/78/0/80 दिनांक 24-3-1981 की दोनों प्रतियां (सीमा शुल्क प्रयोजन व मुद्रा विनिमय नियंत्रण प्रतियां) खो गई अपवाह अस्थानस्थ हो गई हैं और निवेदन देना है कि प्रार्थी को उपर्युक्त लाइसेंस की (दोनों सीमा शुल्क और मुद्रा विनिमय प्रयोजन प्रतियोगी) अनुमति जारी की जाए।

5,60,000 रु० का मूल [लाइसेंस सं० पी०/एस/1868697/सी/एक्स/78/0/80 दिनांक 24-3-81 (दोनों सीमा शुल्क प्रयोजन और मुद्रा विनिमय नियंत्रण प्रतियोगी) एक्सिलार रद्द की जाती है।

[सं० 10, एसएमआई/प्रोटीनी/ग्राहील-मार्ज 81/आ० एम]
एस० क० मुख्यमंत्री, सरायक मुक्त नियंत्रण

MINISTRY OF COMMERCE

(Office of the Comptroller of Imports and Exports)

Cuttack, the 19th April, 1982

Subject.—Cancellation of Import Licence No. P/S/1865697/C/XX/78/0/80 dated 24-3-1981 for Rs. 5,60,000 issue to M/s. Utkal Agro Industries, O.T. Road, Balasore, Orissa.

S.O. 2421.—M/s. Utkal Agro Industries, O. T., Road, Balasore, Orissa, has been granted Import Licence No. P/S/1865697/C/XX/78/0/80, dated 24th March, 1981 for Rs. 5,60,000 for Import of permissible raw materials, components and consumables as per appendix-5 of the period required for the End Products, Polythene Pipes, Films & Bags, PVC Pipes, Sanitary Fittings & Industrial components.

They have applied for issue of duplicate copy (both Exchange & Customs purpose) of above licence on the ground that original copy of the said licence has been lost/misplaced without having been registered and without being utilised at all with any Customs authority and an affidavit to this effect has been submitted as required in terms of para 351 & 352 of Hand Book of Import-Export Procedures, 1981-82 and requested for issue of duplicate licence to cover Rs. 5,60,000.

The undersigned is satisfied that both the copies (Customs & Exchange Control) of licence No. P/S/1865697/C/XX/78/0/80 dated 24-3-81 have been lost/misplaced and direct that the duplicate copy (both Custom purpose & Exchange Control) of the said licence be issued to the applicant.

The original licence No. P/S/1865697/C/XX/78/0/80, dated 24-3-81 for Rs. 5,60,000 (both copies of Custom purpose & Exchange Control) is hereby cancelled.

[No. 19/SSI/CTC/AM 81/RM]
S. K. MUKHERJEE, Asstt. Chief Controller

वार्षिक राजालय

मूल नियंत्रक, आयात-नियंत्रण कार्यालय

अ.वेश

नई दिल्ली, 27 मई, 1982

का० आ० 2143.—सर्वश्री उथा रैविटफायर बारपोरेजन (इंडिया) प्रा० निं०, नई दिल्ली को मूल विदेशी विनिमय के मालगांत पश्चिमी जर्मनी से पंजीयन माल (एक्सिल) के आयात के लिए 16,80,200 रुपए (सोलह लाख, सम्मी हजार तीस रुपए) (धी एम 420717) मूल्य का एक आयात लाइसेंस सं० पी०/सी० जी०/2083462/सी०/एसएमस/81/एच०/81/सी० जी०-2 दिनांक 21-12-81 की मूल सीमांशुलक प्रयोजन प्रति की अनु-लिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल प्रति उनमें जो गई है/अस्थानस्थ हो गई है। आगे यह भी बताया गया है कि सीमांशुलक प्रयोजन प्रति किसी भी सीमांशुलक कार्यालय में पंजीकृत नहीं कराई गई थी और इस प्रकार सीमांशुलक प्रति का बिल्कुल भी प्रयोग नहीं हुआ है।

2. अपने तक के ममर्जन में, लाइसेंसधारी ने भोटरी पम्लिक दिल्ली के सामने विद्युत् शास्त्र लेकर स्टाम्प पेपर पर एक यापथ पत्र दखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस सं० पी०/सी० जी०/2083462/सी०/एक्स/81/एच०/81/सी० जी०-2 दिनांक 21-12-81 की मूल सीमांशुलक प्रयोजन प्रति कर्म से थोंग गई है/अस्थानस्थ हो गई है। यथा संगीधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-55 की उपधारा 9

(सी सी) में प्रवत्त अधिकारी का प्रयोग करते हुए, उपर्युक्त मूल सीमां-गुप्त प्रधीनत प्रति सं० पी/सी जी/2083462, दिनांक 21-12-81 जो कि सर्वश्री उपा० रैकिटफायर काम्पारेण्ट (इंडिया) प्रा० लि० को जारी की गई थी, एवं वहां रह की जाती है।

3. उपर्युक्त लाइसेन्स की सीमा गुप्त प्रधानत प्रति को अनुचित प्रत्यग से जारी की जा रही है।

[मा० सी जी-3/819/81/21]

प्राक्तन अध्यक्ष, उप-मुख्य नियंत्रक,
आयात-नियात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 27th May, 1982

S.O. 2143.—M/s. Usha Rectifier Corporation (India) P. Ltd., New Delhi were granted an import licence No. P/CG/2083462[C]XX/81[H]81]CG.III dated 21-12-81 for Rs. 16,80,200 (Rupees Sixteen Lakhs eighty thousand and two hundred only) (DM 420717) for import of capital goods (extruder) from West Germany under Free Foreign Exchange. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs Purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs Purposes copy of the licence was not registered with any Customs authority and as such the value of Customs purposes copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Delhi. I am accordingly satisfied that the original Customs Purposes copy of import licence No. P/CG/2083462 dated 21-12-81 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of Import (Control) Order, 1955 dated 7-12-1955 as amended the said original customs purposes copy No P/CG/2083462 dated 21-12-81 issued to M/s Usha Rectifier Corporation (India) P. Ltd., New Delhi is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[No. CG.III/818/81/21]

SHANKAR CHAND, Dy. Chief Controller
Imports & Exports

विदेश मंत्रालय

नई दिल्ली, 17 मई, 1982

का० आ० 2144.—राजनयिक तथा कोंसल्टनी अधिकारी (गपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वाँ) के खंड 2 की धारा (क) के अनुसरण में, केन्द्र सरकार, इसके द्वारा भारत का गणराज्यावाद, बहरीन में स्थायक थी एवं एवं छावड़ा, को तलात से कोंसल्टनी एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[फाइल स० टी०-4330/2/82]

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 17th May, 1982

S.O. 2144.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri M. L. Chhabra Assistant in the Embassy of India, Bahrain to perform the duties of a Consular Agent with immediate effect.

[File No. T-4330(2)82]

नई दिल्ली, 18 मई, 1982

का० आ० 2145.—राजनयिक तथा कोंसल्टनी अधिकारी (गपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वाँ) के खंड 2 की धारा (क) के अनुसरण में केन्द्र सरकार, इसके द्वारा भारत का गणराज्यावाद, बहरीन में स्थायक सर्वश्री प्र० के० हिंगोरानी और के० एवं बेदी बोनो का कमाना 5 मई, 1981 और 6 नवम्बर, 1980 से कोंसल्टनी एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[फाइल स० टी०-4330/2/82]

जे० हजारी, अव० सचिव

New Delhi, the 18th May, 1982

S.O. 2145.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise S/Shri I.K. Hingorani and K.S. Bedi, both Assistants in the Embassy of India, Muscat to perform the duties of Consular Agent with effect from 5th May, 1981 and 6th November, 1980 respectively.

[File No. T-4330(2)82]

I. HAZARI, Under Secy.

उद्योग मंत्रालय

(भारी उद्योग मंत्रालय)

आवेदन

नई दिल्ली, 1 जून, 1982

का० आ० 2146.—केन्द्रीय सरकार, उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 187 वारा प्रवत्त शासकीय का प्रयोग करते हुए, वाणिज्यिक वाहन (पुन. विकल्प पर निर्बंधन) प्रादेश, 1981 का संशोधन करने के लिए निम्नलिखित आदेश करती है, प्रदर्शन—

1. (1) इस आदेश का संक्षिप्त नाम वाणिज्यिक वाहन (पुन. विकल्प पर निर्बंधन) संशोधन आदेश, 1982 है।

(2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।

2 शाणिजिक आदत (पुन. विक्रय पर निर्बंधन) आदेश, 1981
मेरा

(क) व्याप 2 मेरा

(i) उपचार (2) मेरा, "केन्द्रीय सरकार" शब्दों के स्थान पर "राज्य सरकार" शब्द रखे जायेंगे;

(ii) X X X X X X

(ग) व्याप 3 के उपचार (3) और उसके परन्तुक मेरा, "सरकार" शब्द के स्थान पर "राज्य सरकार" शब्द रख जाएंगे।

[फा० सं० 2/2/78-ए०ई०आ०१(1)]

टो० एस० विजयराघवन, विषेष कार्य प्रधिकारी

टिप्पण :— भल आदेश प्रधिसूचना का० आ० 298 (ग्रा०) नारोब्र 9 अप्रैल, 1981 द्वारा प्रकाशित किया गया था। इसका इससे पूर्व संशोधन नहीं किया गया है।

MINISTRY OF INDUSTRY

(Department of Heavy Industry)

ORDER

New Delhi, the 1st June, 1982

S.O. 2146.—In exercise of the powers conferred by Section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order to amend the Commercial Vehicles (Restriction on Re-sale) Order, 1981 namely :—

1. (1) This Order may be called the Commercial Vehicles (Restriction on Re-sale) Amendment Order, 1982.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Commercial Vehicles (Restriction on Re-sale) Order, 1981,—

(a) in clause 2,—

(i) in sub-clause (2), for the word "Government", the words "State Government" shall be substituted;

(ii) in sub-clause (3), for the words "Government of a State", the word "State Government" shall be substituted;

(b) in clause 3, in sub-clause (3) and the proviso thereto, for the word "Government", the words "State Government" shall be substituted.

[F. No. 2(2)/79-AEI (1)]

T. S. VIJAYARAGHAVAN, Officer on Special Duty

Note.—The principal Order was published vide Notification No. S.O. 298(E), dated the 9th April, 1981. The same has not been amended earlier.

पेट्रोलियम, रसायन और उर्वरक उन्नतालय

(पेट्रोलियम विभाग)

महि दिव्यांशु, 27 मार्च, 1982

का० आ० 2147.—यह: पेट्रोलियम और लकड़ियां पाइपलाइन (भूमि मेरा उपयोग के प्रधिकार का प्रयोग) प्रधितियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक उन्नतालय (पेट्रोलियम विभाग) की प्रधिसूचना का० आ० मेरा 1940 तारोब 26-6-81 द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना मेरा भूमि मेरा विनिविष्ट भूमियों के उपयोग के प्रधिकार को पाइपलाइनों को बिलाने के प्रयोग के लिए आज्ञा करने का आपना आशय घोषित कर दिया था।

और यह सकाम प्रधिकारी ने उक्त प्रधितियम की धारा 6 की उपधारा (1) के प्रधीन सरकार की रिपोर्ट दे दी है।

और आगे, यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस प्रधिसूचना मेरा संकेन भूमि मेरा विनिविष्ट भूमियों मेरा उपयोग का प्रधिकार अर्जित करने का विनिविष्ट किया है :

अब, अतः उक्त प्रधितियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शब्दित का प्रयोग करते हुए केन्द्रीय सरकार एन्ड्रारा घोषित करती है कि इस प्रधिसूचना से संकेन भूमि मेरा विनिविष्ट उक्त भूमियों मेरा उपयोग का प्रधिकार पाइपलाइन बिलाने के प्रयोग के लिए एन्ड्रारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शब्दियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों मेरा उपयोग का प्रधिकार केन्द्रीय सरकार मेरा विनिविष्ट होने के बजाय तेज और प्राकृतिक गैस आयोग मेरा सभी वाकामों से मुक्त रूप मेरा शोधणा के प्रकाशन की इस सारीब्र को निहित होगा।

भूमि

एस० एन० आ० 298 मेरा ग्री० ग्री० एस० 1 (सदाच) तक पाइप-लाइन बिलाने के लिए।

शाय : गुजरात

जिना व नामांका : मेहमाना

मात्रा	मर्वे न०	देवेपर	एश्वार्इ सेन्टीयर
संधारन	866/1	0	08 40
	869/2	0	03 84
	863	0	19 20
	862	0	01 20
	824	0	06 84
	826/1	0	02 16
	826/2	0	09 60
	727	0	08 28
	826/1	0	01 20
	783	0	04 32
	781	0	02 28
	829	0	03 00

[म० 12016/20/81-मो० 1]

टो० एन० परमेश्वरन, भवर सचिव

MINISTRY OF PETROLEUM CHEMICALS AND FERTILIZER

(Department of Petroleum)

New Delhi, the 27th March, 1982

S.O. 2147.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum) S.O. No 1940 dated 26-6-81 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (i) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of users in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Acquisition of R.O.U. from SNR to GGS Santhal-1

State : Gujarat	District & Taluka : Mehsana			
Village	Survey No.	Hec-tare	Are	Centi- tiare
Santhal	866/1	0	08	40
	869/2	0	03	84
	863	0	19	20
	862	0	01	20
	824	0	06	84
	826/1	0	02	16
	826/2	0	09	60
	727	0	08	28
	826/1	0	01	20
	783	0	04	32
	781	0	02	28
	829	0	03	00

[No. 12016/20/81-Prod. I]

T. N. PARAMESWARAN, Under Secy.

नई दिल्ली, 21 मई, 1982

का० आ० 2148.—यह: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का प्राप्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० स० 307 तारीख 11-1-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के प्रधिकार को पाइपलाइन को विलाने के प्रयोजन के लिए, अंजित करने का भ्रप्ता अधार्य घोषित कर दिया था।

ओर यह: सरकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार को रिपोर्ट दे दी है।

ओर, यह: यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का प्रधिकार अंजित करने का विनियमन किया है।

अब, यह: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन विलाने के प्रयोजन के लिए एवं द्वारा अंजित किया जाना है।

ओर यह: उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विलिन होने के बजाय नेप और प्राकृतिक गैस आदी में, भूमि आधारों से मुक्त हप में, घोषणा के प्रकार उक्त इस तारीख को निश्चित होगा।

अनुमूली

सूची नं 122 में 21 एक पाइप-लाइन विलाने के लिए।
राज्य गुजरात जिला भरुच तालुका अंकलेश्वर

गाव	मर्वे नं	ट्रैक्टर	एप्रिलर	मर्टीयर
हजात	32	0	09	88
	33 ए	0	05	85
	34 ए	0	06	63
	14	0	15	60
	17	0	05	33

[स० 12016/61/81-प्र०-II]

New Delhi, the 21st May, 1982

S.O. 2148.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum) S.O. 307 dated 11-1-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to the notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. 122 to 21

State : Gujarat	District : Bharuch Taluka : Ankleshwar			
Village	Survey No.	Hec-tare	Are	Centi- tiare
Hajat	32	0	09	88
	33-A	0	05	85
	34-A	0	06	63
	14	0	15	60
	17	0	05	33

[No. 12016/61/81-Prod. II]

का० आ० 2149.—यह: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का प्राप्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० स० 306 तारीख 11-1-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का प्रधिकार को पाइपलाइन विलाने के प्रयोजन के लिए अंजित करने का भ्रप्ता अधार्य घोषित कर दिया था।

और यह सकार प्राधिकारी ने उक्त प्रतिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है।

और आगे, यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस प्रधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का प्रधिकार प्राप्ति करने का विनियत किया है।

अब, अब उक्त प्रतिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एन्डवाग धारित करनी है कि इस प्रधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग का प्रधिकार पाइपलाइन बिछाने के प्रयोजन के लिए पाइपलाइन अर्जित किया जाना है।

और आगे उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विनिर्दिष्ट होने के बजाय तेल और प्राकृतिक गैस आयोग, में सभी वाधाओं से मूल रूप में, शोषण के प्रकाशन की इस तारीख को निश्चित होगा।

अनुसूची

कूप नं० 1 से एम० डी० एच०		राज्य - गुजरात		जिला - भरुच		नामुका -प्रकलेष्वर		
गांव	सर्वे नं०	हेस्टेयर	एकार्ट	सेमीयर	हेस्टेयर	एकार्ट	सेमीयर	
हाजत	210	0	13	26	210	0	13	26
	251	0	14	30	251	0	14	30
	250	0	13	39	250	0	13	39
	249	0	12	35	249	0	12	35
	256	0	22	75	256	0	22	75
	259	0	05	72	259	0	05	72
	270	0	06	89	270	0	06	89
	271	0	10	66	271	0	10	66
	269	0	10	01	269	0	10	01
	268	0	08	71	268	0	08	71
	265	0	09	10	265	0	09	10
	266	0	03	64	266	0	03	64

[सं० 12016/61/81-प्र० 1]

S.O. 2149.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 306 dated 11-1-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. 1 to M.P.H.

State : Gujarat	District : Bharuch	Taluka : Ankleswar	Village	Survey No.	Hectare	Acre	Centiares
Hajat				210	0	13	26
				251	0	14	30
				250	0	13	39
				249	0	12	35
				256	0	22	75
				259	0	05	72
				270	0	06	89
				271	0	10	66
				269	0	10	01
				268	0	08	71
				265	0	09	10
				266	0	03	64

[No. 12016/61/81-Prod. 1]

नई विन्ली, 22 मई, 1982

का० आ० 2150.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह प्रावधारणा है कि गुजरात गांव में इन्हें एम० डी० (बेस्ट मोर्गाना-5) से इन्हें एम० डी० पेट्रोलियम के परिवहन के लिए पाइप-लाइन तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एन्डप्लाइन अनुसूची में विनियम लगा देने वाले प्रयोग का प्रधिकार प्राप्ति करने का अपना आवश्यक एन्डवाग आयोग है।

अतः प्रते० पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का प्रर्जन) प्रतिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का प्रधिकार प्राप्ति करने का अपना आवश्यक एन्डवाग आयोग है।

बायर्स कि उक्त भूमि में हिन्दूद कोई व्यवित्र, उप भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सकार प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निमाण और देवभान प्रधारा, मकारुरा रोड, बहोदरा-9 को इस प्रधिसूचना की लाईसेंस से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यवित्र विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई अविनियम ही या किसी विधि व्यवसायों की मार्फत।

अनुसूची

कूप नं० डल्न्य० एम० डी० (बेस्ट मोर्गाना-5) में कूप नं० डल्न्य० एम०डी०

गांव	स्लॉक नं०	हेस्टेयर	एकार्ट	सेमीयर
वालनेर	404	0	08	97
	416	0	37	83
	424	0	19	37
	फार्ट ट्रेक	0	03	90
	471	0	12	35
	472	0	02	92
	484	0	07	80
	485	0	11	70
	489	0	11	30
	492	0	24	04
	500	0	13	00
	494	0	07	80
	498	0	09	62
	506	0	06	50

[सं० 12016/18/82-प्र० 1]

New Delhi, the 22nd May, 1982

S.O. 2150.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from WMD (West Motwan-5) to WMB in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And Whereas it appears that the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009)

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. W.M.D. (West Motwan-5) to well No. W.M.B

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Centiare
Walner	404	0	08	97
	416	0	37	83
	424	0	19	37
Cart track	0	03	90	
471	0	12	35	
472	0	02	92	
483	0	07	80	
485	0	11	70	
489	0	14	30	
492	0	24	04	
500	0	13	00	
499	0	07	80	
498	0	09	62	
506	0	06	50	

[No. 12016/18/82-Prod. II]

S.O. 2151.—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में इन्हीं एम० बी० (वेस्ट मोठवान-5) से डम्प्य० एम० बी० तक पेट्रोलियम के परिवहन के लिए पाईपलाईन तेल तथा प्राकृतिक गैस प्रयोग द्वारा विभाइ जानी जाहिए।

और यह: यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्वाबद्ध मन्त्रालयी में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः, अब पेट्रोलियम और अमिन पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (II) द्वारा प्रबल गणियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वाद्या घोषित किया है।

बास्ते कि उस भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आवेदन समाप्ति अधिकारी, तेल तथा प्राकृतिक गैस प्रयोग और देखामल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आवेदन करने वाला हर व्यक्ति विनिविष्ट है कि उसकी मुनावई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

मन्त्रालयी

कृपा नं. डम्प्य० एम० बी० (वेस्ट मोठवान-5) से कृपा नं. डम्प्य० एम० बी०

राज्य - गुजरात	जिला- भरचू	तालुका- हासीद
गांव	मलाक बा०	हेक्टेयर एभारई सेटीयर
कलम	267	0 01 60
	170	0 12 35
	171	0 07 15
	201	0 07 15

[सं. 12016/18/82-प्र० 1]

S.O. 2151.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from WMB (West Motwan-5) to WMB in Gujarat State pipeline should be laid the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009)

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. W.M.D (West Motwan-5) to well No. W.M.B.

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Centiare
Kalam	267	0	02	60
	170	0	12	35
	171	0	07	15
	201	0	07	15

[No. 12016/18/82-Prod. I

नई विसंगी, 24 मई, 1982

S.O. 2152.—यह: पेट्रोलियम और अमिन पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रबल गणियों का प्रयोग करते हुए केन्द्रीय सरकार के पेट्रोलियम, रसायन और उद्योग मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं. 186 तारीख 31/12/81 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भूमि में विनिविष्ट भूमियों के उपयोग के अधिकार को पाईप लाईनों को बिछाने के प्रयोजन लिए अंजित करने का अपना आवश्यक घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त भवित्वियम् की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस भवित्वियम् से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का भविकार अंजित करने का विनियम दिया है।

यतः उक्त भवित्वियम् की धारा 6 की उपधारा (1) द्वारा प्रदत्त प्रतिक का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा धोषित करते हैं कि इस भवित्वियम् में संलग्न अनुसूची में विनिविष्ट उक्त भूमियों में उपयोग का भविकार पाश्पलाईन बिलाने के प्रयोगन के लिए एतद्वारा अंजित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का भविकार केन्द्रीय गरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी आधारों से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप सं० 85 से एम० ५० एच०

राज्य : गुजरात जिला : भरुच तालुका :— अंकलेश्वर

गांव	सर्वे नं०	हेक्टेयर	एमार्टै	सेटीयर
हजात	243	0	04	42
	260	0	13	63
	264	0	01	95
	265	0	14	17
	266	0	06	11

[सं० 12016/57/81-प्र०]

New Delhi, the 24th May, 1982

S.O. 2152.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 186 dated 31-12-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline.

And Further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. 85 to M.P.H.

State : Gujarat	District : Bharuch	Taluka : Ankleshwar	Survey No.	Hec-tare	Acre	Cent	tlare
Hajat			243	0	04	42	
			260	0	13	63	
			264	0	01	95	
			265	0	14	17	
			266	0	06	11	

[No. 12016/57/81-Prod.]

यतः धारा 2153.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह प्रावश्यक है कि गुजरात राज्य में एम० ३८५० एम० से वालनेर-१ तक पेट्रोलियम के परिवहन के लिए पाईपलाईन सेल तथा प्राकृतिक गैस आयोग द्वारा विलाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को विलाई के प्रयोगन के लिए एतदपावद अनुसूची में विहित भूमि में उपयोग का भविकार अंजित करना आवश्यक है।

यतः प्रब पेट्रोलियम और अनिज पाईपलाईन (भूमि में उपयोग के भविकार का अंजन) भवित्वियम्, 1962 (1962 का 50) की धारा 3 की उपधारा (ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का भविकार अंजित करने का अपना आशय एतद्वारा धोषित किया है।

मानते हि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन के लिए आयोग सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निमिण और देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-९ को इस भवित्वियम् की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आयोग करने वाला हीर व्यक्ति विनिविष्टः यह भी कहते करेगा कि क्या वह यह आहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कूप सं० एस० ३८५० एम० से वालनेर-१

राज्य : गुजरात जिला : भरुच तालुका : हांसोट

गांव	जलाक नं०	हेक्टेयर	एमार्टै	सेटीयर
वालनेर	40	0	22	10
	31	0	12	48
	29	0	03	90
	28	0	03	38
	25	0	03	25
	24	0	02	73
	23	0	02	99
	22	0	05	59
	21	0	08	58
	20	0	03	25
	19	0	03	90
	198	0	44	98
	303	0	08	32
	302	0	10	14
	301	0	03	77
	300	0	13	65

[सं० 12016/19/82-प्र०]

S.O. 2153.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SWMA to Walner 1 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user herein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009)

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. SWMA to Walner-1

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Cen-tiare
Walner	40	0	22	10
	31	0	12	48
	29	0	03	90
	28	0	03	38
	25	0	03	25
	24	0	02	73
	23	0	02	99
	22	0	05	59
	21	0	08	58
	20	0	03	25
	19	0	03	90
	198	0	44	98
	303	0	08	32
	302	0	10	14
	301	0	03	77
	300	0	13	65

[No. 12016/19/82-Prod.]

नई दिल्ली, 25 मई, 1982

का० आ० 2154.—यत् केन्द्रीय भरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में एस० डी० प्राई० से जी०जी०एस० 1 तक वेंट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

और यत् यह प्रतीत होता है कि ऐसी साईंसों को विद्याने के प्रयोग के लिए एतश्वासद्वारा भ्रम्मूल्यी में अंजित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब वेंट्रोलियम और जिला पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (II) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितद्वारा लोई अधिकार, उस भूमि के नीचे पाइप लाइन बिछाने के लिए ग्राक्षेप समझ प्राकृतिक, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेंट्रोलियम प्रभाग, संकरपुरा रोड, बडोदरा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा ग्राक्षेप करने वाला हर व्यक्ति विनियिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई अधिकार हो या किसी विद्यि अवसायी को भाफ्त।

अनुसूची

कृपा न० एस० डी० प्राई० से जी०जी०एस० - 1 तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात	जिला- भरच	तालुका - हांसोट
गांव	खलाक नं०	हेक्टेयर एमार्ट सेन्टीमर
कठोवरा	118	0 10 66
	110	0 05 98
	111	0 05 59
	112	0 05 46
	114	0 10 14
	112	0 18 20
	98	0 14 30
	90	0 07 20
	98	0 05 20
	94	0 11 35
	91	0 09 75

[सं० 12016/14/82-प्र० II]

New Delhi, the 25th May, 1982

S.O. 2154.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SDI to GGS in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided That any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009)

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. SDI to GGS

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Cen-tiare
Kathodra	118	0	10	66
	110	0	05	98
	111	0	05	59
	112	0	05	46
	114	0	10	14
	112	0	18	20
	98	0	14	30
	90	0	07	20
	98	0	05	20
	94	0	11	35
	91	0	09	75

[No. 12016/14/82-Prod. III]

सांख्य 2155.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहृषि में यह आवश्यक है कि गुजरात राज्य में एक० ई० जी० (220) से कूप नं० 171 तक पेट्रोलियम के परिष्करण के लिए पाइपलाइन लें तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

भीर यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एकदृष्टव्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

यतः अब पेट्रोलियम और अनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (11) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एवं व्यापार अधिकार अर्जित किया है ।

बाशर्ते कि उक्त भूमि में हितवद्ध कोई अविक्षित, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेखाल सम्बन्धी, मकरपुरा रोड, बडोवरा- 9 को इस अधिसूचना की सारीक से 21 दिनों के भीतर कर सकेगा ।

भीर ऐसा आक्षेप करने वाला हर व्यक्ति विनियितः यह भी कथत करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विश्व व्यवसायी की माफत ।

अनुसूची

कूप नं० एक० ई० जी० (220) से कूप नं० 171 तक पाइप लाइन बिछाने के लिए ।

राज्य : गुजरात	जिला	भूक्षण	तालुका : मकरपुरा
गांव	सर्वे नं०	हेक्टेयर	एकार्ड, सेटीम्यर
उमरवाडा	228	0 13 00	
	233	0 13 00	
[सं० 12016/14/82- प्र० I]			

S.O. 2155.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from FDG (220) to Well No. 171 in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. FDG (220) to well No. 171

State : Gujarat	District : Bharuch	Taluka : Ankleshwar		
Village	Survey No.	Hectare	Acre	Centiare
Umarwada	228	0	13	00
	233	0	13	00

[No. 12016/14/82-Prod. I]

कांखा० 2156.—यतः पेट्रोलियम और अनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मन्त्रालय (पेट्रोलियम विभाग) की अधिसूचना का०मा० सं० 82 तारीख 19 विसम्बर, 1981 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ।

भीर यतः सक्षम प्राधिकारी ने उस अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

भीर यांगे, यतः केन्द्रीय सरकार ने उस रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनियक्य किया है ।

प्रबृ, यतः उस अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं व्यापार अधिकारी है कि इस अधिसूचना से संलग्न अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन लाइनों के प्रयोजन के लिए एवं व्यापार अधिकार अर्जित किया जाता है ।

भीर यांगे उस धारा की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विनियिष्ट होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी आधारों से मुक्त स्पष्ट में, घोषणा के प्रकाशन की इस तारीख के निहित होगा ।

अनुसूची

कूप नं० 81 से बूप नं० 2 तक पाइप लाइन बिछाने के लिए ।

राज्य-गुजरात जिला-भूख तालुका-हांसोट

गांव	सर्वे नं०	हेक्टेयर	एकार्ड, सेटीम्यर
डिंगस	279	0	04
	280	0	03
	280	0	04
	281	0	17
	288	0	05

[सं० 12016/62/81-प्र०]

S.O. 2156.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum) S.O. 82 dated 19-12-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declares its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of

this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. 81 to Booth No. 22
State : Gujarat District : Bharuch Taluka : Hansol

Village	Survey No.	Hec-tare	Are	Centi- tiare
Digas	279	0	03	64
	280	0	03	38
	280	0	04	29
	281	0	17	68
	288	0	05	59

[No. 12016/62/81-Prod.]

का० आ० 2157.—यत् पेट्रोलियम और जूनिज पाइप लाइन (भूमि में उपयोग के अधिकार का प्राप्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 77 तारीख 17 दिसम्बर, 1981 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भन्नसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना प्राशय घोषित कर दिया था;

और यत् राजम प्राधिकारी ने उक्त प्रांगनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यत् केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न भन्नसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिष्चय किया है;

अब, यत् उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न भन्नसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी जाधारों से मुक्त रूप में, योषणा के प्रकाशन की इस तारीख को निहित होगा।

भन्नसूची

बौ० एस० वं० एम० ए० क० मे० एम० ए० ए०

राज्य—गुजरात	जिला और तालुका—मेहसाना	सर्वे नं०	लैक्टरियर	एमार्ट सेटीजर
जोटाना		1401	0 00	50
		1402	0 05	40
		1403	0 04	40
		1404	0 07	00
		1405	0 00	60

[सं० 12016/56/81-प्र० II]

S.O. 2157.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum) S.O. 77 dated 17-12-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from D.S. No. SNK to SNN

State : Gujarat	District & Taluka : Mehsana	Survey No.	Hec-tare	Are	Centi- tiare
Jotana		1401	0	00	50
		1402	0	05	40
		1403	0	04	40
		1404	0	07	00
		1405	0	00	60

[No. 12016/56/81-Prod. II]

का० आ० 2158.—यत् पेट्रोलियम और जूनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्राप्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 75 तारीख 17-12-81 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भन्नसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए प्राप्ति करने का अपना प्राशय घोषित कर दिया था;

और यत् राजम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे, यत् केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न भन्नसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिष्चय किया है;

अब, यत् उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न भन्नसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी आवासीयों से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

डी० एस० जे० एन० एच० से स्टीम पोइन्ट जोटाना-4

राज्य—गुजरात

जिला—महसाना

गांव	ब्लॉक नं०	हेक्टेयर	ए आर ई सेटीयर
मानकर	1040	0	03 84
	1047	0	03 96
	1046	0	15 00
	1052	0	04 80
	1053	0	02 40

[सं० 12016/56/81-प्र० I]

S.O. 2158.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum) S.O. 75 dated 17-12-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from D. S. JNH to steam point Jotana-4

State : Gujarat

District & Taluka : Mehsana

Village	Block No.	Hec-tare	Are	Centi-tare
Mankraj	1040	0	03	84
	1047	0	03	96
	1046	0	15	00
	1052	0	04	80
	1053	0	02	40

[No. 12016/56/81-Prod.

सां. अ० 2159.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि, याकृति में यश अविष्यक है कि गुजरात राज्य में जे० आर० एक० से कालोग-II तक नेट्रोनियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैंग आयोग द्वारा विद्युत जाने भाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को विद्युत के प्रयोगन के लिये एन्ट्रप्राइज अनुपूर्वी में वर्णित भूमि में उत्तम का प्राकृतिक गैंग आयोग करना आवश्यक है।

अतः यव पेट्रोनियम और अनिंज पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) प्रधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का प्रधिकार अर्जित करने का अपना आशय एन्ट्रप्राइज घोषित किया है।

मगर्ते कि उक्त भूमि में हस्तबद्ध कोई अक्ति, उस भूमि के नीचे पाइप लाइन विद्युतों के लिए आवेदन सक्षम प्राकृतिकी, तेल तथा प्राकृतिक गैंग आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोवरा-१ को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आवेदन करने वाला हर अक्ति वित्तिदिव्यस्तः यह भी कथन करेगा कि वह वह चाहता है कि उसकी सुनवाई अक्तिगत हो या किसी विधि अवसाधी की भाँति।

अनुसूची

जे० आर० एक० से कालोग-II

राज्य—गुजरात

जिला—महसाना तालुका—कड़ी

गांव	सर्व नं०	हेक्टेयर	ए आर ई सेटीयर
मेरडा	244	0	03 00
	246/1	0	04 05
	245	0	05 55

[सं० 12016/17/82-प्र० II]

S.O. 2159.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from JRF to IHARORA-II in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from JRF to Jhalora-II

State : Gujarat	District : Mehsana	Taluka : Kadi	
Village	Survey No.	Hec-tare	Centiare
Merda	244	0 03	00
	246/1	0 04	05
	245	0 05	55

[No. 12016/17/82-Prod. II]

का० भा० 2160—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में बी० भा० जी० से जी० भी० एम० विग्रह तक पेट्रोलियम के परिवहन के लिये पाइपलाइन सेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए ;

और यह यह प्रतीत होता है कि ऐसी लाईनों को बिलाने के प्रयोजन के लिए एडप्टेव, अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अत अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त भक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है ।

अपर्याप्त किए गए अधिकार को विभिन्न भूमि के नीचे पाइप लाइन बिलाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टना यह भी करन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की सार्वतंत्रता ।

अनुसूची

बी० भा० जी० रे जी० जी० एम० विग्रह

राज्य : गुजरात	जिला	मेहसाना	तालुका : कड़ी
गांव	सर्कं नं०	हेक्टेयर एमार्टि सेन्टीयर	
नानी कड़ी	152/1	0 11	40
	152/2	0 02	30
	153/1	0 04	50

[सं० 12016/17/82-प्र० I]

S.O. 2160.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from VRG to GGS VIRAJ in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by a legal practitioner.

SCHEDULE

Pipeline from VRG to GGS Viraj

State : Gujarat	District : Mehsana	Taluka : Kadi	
Village	Survey No.	Hec-tare	Centiare
Nani Kadi	152/1	0 11	40
	152/2	0 02	25
	153/1	0 04	50

[No. 12016/17/82-Prod. I]

नई दिल्ली, 26 मई, 1982

का० भा० 2161—गवर्नर केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एम० टी० बी० से इन० एम० विग्रह तक पेट्रोलियम के परिवहन के लिये पाइपलाइन सेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए ;

और यह यह प्रतीत होता है कि ऐसी लाईनों को बिलाने के प्रयोजन के लिए एडप्टेव अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अत अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त भक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है ;

अपर्याप्त किए गए अधिकार को विभिन्न भूमि के नीचे पाइप लाइन बिलाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टना यह भी करन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की सार्वतंत्रता ।

अनुसूची

कूप न० एम० टी० बी० से इन० एम० बी० तक पाइप लाइन बिलाने के लिए ।

राज्य : गुजरात	जिला	भस्त्र	तालुका : हासोट
गांव	ब्लॉक नं०	हेक्टेयर एमार्टि सेन्टीयर	
कलम	285	0 03	90
	283	0 16	90
	273	0 26	00
	228	0 19	50

[सं० 12016/13/82-प्र० I]

New Delhi, the 26th May, 1982

S.O. 2161.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from MTB to WMB in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent

Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. MTB to Well No. WMB
State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Acre	Centi-tare
Kalam	285	0	03	90
	283	0	16	90
	273	0	26	00
	228	0	19	50

[No. 12016/13/82-Prod. I]

का० आ० 2162.—यतः पेट्रोलियम और गैजिज पाइपलाइन (भूमि में उपयोग के अधिकार का पर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उत्कर्क भवानय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 304 तारीख 11-1-81 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था;

और यतः सभाम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को स्पोर्ट दे दी है;

ओर आगे, यत केन्द्रीय सरकार ने उक्त स्पोर्ट पर विवार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार प्राप्त करने का विनियमन किया है;

अब, यत उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त पात्रिका का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा घोषित करता है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन पाइपलाइन बिछाने के प्रयोजन के लिए एतदद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त पात्रिकों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बायां नेतृ और प्राकृतिक गैस आपोग में, सभी आधारों से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख की निर्धारण होगा।

अनुसूची

कूप नं० 21 से एम० पी० एच०

राज्य : गुजरात	जिला : भरुच	तालुका : अंकलेश्वर	गांव	मर्बे नं०	हेक्टेयर	एकार्ट एक्टिवर
हजार				346	0	10
				345	0	10
				344	0	06
				343	0	09
				341	0	01
				342	0	11
				213	0	06
				335	0	06
				334	0	09
				कार्ट ट्रैक	0	01
				266	0	05

[सं० 12016/58/81-प्र० I]

S.O. 2162.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer (Department of Petroleum) S.O. 304 dated 11-1-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. 21 to MPH

State : Gujarat District : Bharuch Taluka : Ankleshwar

Village	Survey No.	Hec-tare	Acre	Centi-tare
Hajat	346	0	10	53
	345	0	10	14
	344	0	06	50
	343	0	09	88
	341	0	01	04
	342	0	11	05
	213	0	06	11
	335	0	06	50
	334	0	09	88
	कार्ट ट्रैक	0	01	69
	266	0	05	72

[No. 12016/58/81-Prod. I]

का० आ० 2163.—यतः पेट्रोलियम और गैजिज पाइपलाइन (भूमि में उपयोग के अधिकार का पर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उत्कर्क मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 305 तारीख 30-1-82 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के प्रयोजन के लिए एतदद्वारा अर्जित करने का अपना आशय घोषित कर दिया था;

और यतः सभाम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को स्पोर्ट दे दी है;

और आगे, यत केन्द्रीय सरकार ने उक्त स्पोर्ट पर विवार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार प्राप्त करने का विनियमन किया है;

अब, यत उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त पात्रिका का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतदद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विहित होने के बजाय तेव और प्राकृतिक गैर ग्रायोग में, सभी वाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

कूप नं. 10 से बूथ नं. 1 तक पाइप लाइन विभाने के लिए
राज्य—गुजरात जिला—भरुच तालुका—अंकलेश्वर

गांव	सर्वे नं.	हेक्टेयर	एकार्ट इंस्टीयर
Digas	कार्ट ट्रैक	0	02
	157/3	0	23
	157/1	0	01
	158/2	0	17
	158/1	0	15
	159/1	0	20
	160/A-1	0	02
			08

[सं. 12016/58/81-प्र० III]

S.O. 2163.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, (Department of Petroleum) S.O. 305 dated 30-1-82 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section 4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. 10 to Booth No. 1

State : Gujarat District : Bharuch Taluka : Ankleshwar

Village	Survey No.	Hec-tare	Are	Cen-tiare
Digas	Cart track	0	02	21
	157/3	0	23	40
	157/1	0	01	95
	158/2	0	17	55
	158/1	0	15	60
	159/1	0	20	80
	160/A-1	0	02	08

[No. 12016/58/81-Prod. II]

नई विल्सो, 29 मई, 1982

का० का० 2164.—यतः पेट्रोलियम और अनिंज पाइपलाइन (भूमि में उपयोग के आधिकार का भर्जन) प्रधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम, रमायत और उत्तरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० धा० सं० 3136 तारीख 20-8-79 द्वारा केन्द्रीय सरकार ने उस प्रधि-सूचना से संलग्न अनुसूची में विनिविष्ट भूमियों के उपयोग के प्रधिकार को पाइपलाइनों को विभाने के प्रयोजन के लिए अर्जित करने का अपना आवश्य घोषित कर दिया था ।

प्रौद्योगिकी ने उक्त प्रधिनियम की धारा 6 की उप-धारा (1) के प्रधीन सरकार को रिपोर्ट दे दी है ।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का प्रधिकार अर्जित करने का विनिश्चय किया है ।

यतः उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवत शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन विभाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ।

प्रौद्योगिकी ने उस धारा की उपधारा (4) द्वारा प्रवत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विहित होने के बजाय तेव और प्राकृतिक गैर ग्रायोग में, सभी वाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

सी० टी० एफ० कलोल से दक्षिण कड़ी तक पाइपलाइन विभाने के लिए ।

राज्य—गुजरात	जिला—मेहसाना	तालुका—कड़ी		
गांव	सर्वे नं.	हेक्टर	भार	सेन्टीयर
कड़ी	222	0	04	30
	कार्ट ट्रैक	0	01	15
	213	0	05	25
	203	0	08	40
	204/1+2	0	00	25
	202	0	03	40
	कार्ट ट्रैक	0	00	40
	6/1	0	00	60
	6/5	0	03	75
	6/4	0	01	05
	7	0	04	75
	कार्ट ट्रैक	0	00	50
	17/7	0	09	45
	17/8	0	06	25
	2095	0	02	00
	2091	0	05	65
	2093	0	09	15
	1980	0	04	45
	1978	0	04	00
	1976	0	03	10
	कार्ट ट्रैक	0	00	35
	1957	0	03	00
	1955	0	00	90
	1954	0	03	20
	1953	0	07	70
	कार्ट ट्रैक	0	01	40

[सं. 12016/40/79/प्र० -I]

New Delhi, the 29th May, 1982

S.O. 2164.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum), S.O. No. 3136 dated 20th August, 1979 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of users in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from CT Kalol to South Kadi
State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No	Hec-	Are	Cent-
		tares	tares	tares
Kadi	222	0	04	30
	Cart Track	0	01	15
	213	0	05	25
	203	0	08	40
	204/1-2	0	00	25
	202	0	03	40
	Cart Track	0	00	40
	6/1	0	00	60
	6/5	0	03	75
	6/4	0	01	05
	7	0	04	75
	Cart Track	0	00	50
	17/7	0	09	45
	17/8	0	06	25
	2095	0	02	00
	2091	0	05	65
	2093	0	09	15
	1980	0	04	45
	1978	0	04	00
	1976	0	03	10
	Cart Track	0	00	35
	1957	0	03	00
	1955	0	00	90
	1954	0	05	20
	1953	0	07	70
	Cart Track	0	01	40

[No. 12016/40/79-Prod-I]

का० आ० 2165.—यतः पेट्रोलियम और धनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्राप्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम रसायन और उर्करक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० स० 3137 तारीख 20-8-79 द्वारा केन्द्रीय सरकार ने

उस अधिसूचना से सलग अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अनिवार्य करने का अपना आशय घोषित कर दिया था;

और यत सभीम प्रधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और प्राप्त यत सभीम प्रधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट पर विचार करते के पश्चात इस अधिसूचना से सलग अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अनिवार्य करने का विनिष्टय किया है।

अब, यत उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में सलग अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अनिवार्य किया जाता है।

और आगे उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विद्वान होने के बावजूद नेतृ और प्राकृतिक रौप्य भूमि भागों में मुक्त हर में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

सौ० टी० ए० कलोल से विभिन्न कही तक पाइपलाइन बिछाने के लिए।

राज्य-नांगरान	जिला-मेहसाना	नामका-- कडी
गाव	सर्वे नं०	हेक्टर भार सेन्टीयर
कुलसन	कार्ट ट्रैक	0 00 20
	206	0 06 00
	207	0 03 50
	208	0 05 00
	209/1	0 02 70
	209/2	0 02 20
	211	0 06 40
	214	0 02 80
	213/1+ 2	0 01 05
	कार्ट ट्रैक	0 01 25
	56/1	0 01 75
	56/2	0 01 75
	44	0 12 60
	31/1	0 02 00
	29	0 01 60
	30	0 03 00
	27/2	0 02 85
	27/1	0 02 00
	कार्ट ट्रैक	0 00 50
	8	0 02 25
	7	0 03 00
	6	0 07 90
	1	0 04 50
	कार्ट ट्रैक	0 00 20
	420	0 03 00
	419	0 05 00
	418	0 07 25
	417	0 04 00
	408	0 17 00
	407	0 02 10
	373	0 04 00
	398	0 00 25
	375	0 04 15
	376	0 04 50
	372	0 17 85

[स० 12016/40/79-प्र०-II]

प्रा० ए० गोप्य, निषेद्ध

S.O. 2165.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum) S.O. 3137 dated 20th August, 1979 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from C.T.F. Kalol to South Kadi

State: Gujarat	District : Mehsana	Taluka : Kadi	Village	Survey No.	Hectare	Are	Centiare
BUDASAN			Cart track	0	00	20	
			206	0	06	00	
			207	0	03	50	
			208	0	05	00	
			209/1	0	02	70	
			209/2	0	02	20	
			211	0	06	40	
			214	0	02	80	
			213/1+2	0	01	05	
			Cart track	0	01	25	
			56/1	0	01	75	
			56/2	0	01	75	
			44	0	12	60	
			31/1	0	02	00	
			29	0	01	60	
			30	0	03	00	
			27/2	0	02	85	
			27/1	0	02	00	
			Cart track	0	00	50	
			8	0	02	25	
			7	0	03	00	
			6	0	07	90	
			1	0	04	50	
			Cart track	0	00	20	
			420	0	03	00	
			419	0	05	00	
			418	0	07	25	
			417	0	04	00	
			408	0	17	00	
			407	0	02	10	
			373	0	04	00	
			398	00	00	25	
			375	0	04	15	
			376	0	04	50	
			372	0	17	85	

[No. 12016/40/79-Prod-II]

S. M. Goyal, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 22 मई, 1982

का. अ. 2166--स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान, चंडीगढ़ अधिनियम, 1966 (1966 का 51) की धारा 6 की उपधारा (4) के साथ पठित धारा 5 के खण्ड (३) के अनुसरण में केन्द्रीय सरकार एवं द्वारा श्री के० बनर्जी, मुख्य प्राप्तक, संघशासित धेत्र, चंडीगढ़ को श्री की० एस० सराव के स्थान पर स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान, चंडीगढ़ का भवस्य मनोनीत करती है और भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की 30 जून, 1977 की अधिसूचना रांगवा बी० 17013/1/77--एमई (पीजी) में निम्नलिखित संशोधन करती है, प्रर्यात् --

उक्त अधिसूचना में क्रम संख्या 2 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, प्रर्यात् --

"2. श्री के० बनर्जी, मुख्य प्राप्तक, संघशासित धेत्र, चंडीगढ़।"

[संख्या बी० 17013/2/82-ए मई (पीजी)]

MINISTRY OF HEALTH AND FAMILY WELFARE (Department of Health)

New Delhi, the 22nd May, 1982

S.O. 2166.—In pursuance of clause (4) of section 5 read with sub-section (4) of section 6 of the Post-Graduate Institute of Medical Education and Research, Chandigarh Act, 1966 (51 of 1966), the Central Government hereby nominates Shri K. Banarji, Chief Commissioner, Union Territory of Chandigarh to be Member of the Post-Graduate Institute of Medical Education and Research, Chandigarh vice Shri B. S. Sarao, and makes the following amendment in the notification of the Government of India in the Ministry of Health and Family Welfare Notification No. V. 17013/1/77-ME(PG) dated the 30th June, 1977, namely :—

In the said notification, for serial number 2 and the entries relating thereto, the following shall be substituted namely :—

"2. Shri K. Banarji, Chief Commissioner, Union Territory of Chandigarh."

[No. V. 17013/2/82-ME(PG)]

धारेश

नई दिल्ली, 28 मई, 1982

का. अ. 2167.—यह भारत सरकार के स्वास्थ्य मंत्रालय की 27 मार्च, 1982 की अधिसूचना संख्या एफ० 16-15/61-एम-1 द्वारा केन्द्रीय सरकार ने जिवेत दिया है कि भारतीय धार्मिकान परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिए लाइसेंसियाओं आव दिविसिन एण्ड सिरिजिया" (यूनिवर्सिटी आव लेसिसिया, स्पेन), की चिकित्सा घरेला मास्य चिकित्सा घरेला होगी,

और यह आ० जिमेना एसेलेस जिमेनो एसेलेस, जिमेनो पास उक्त घरेला है धर्मी कार्य के प्रयोजनों के लिए फिलहाल लेडी पिलर धर्मताल, बडोदा के साथ सम्बद्ध है,

प्रत: यह, उक्त अधिनियम की धारा 14 की उपधारा (1) के परम्पर के खण्ड (ग) का पालन करते हुए केन्द्रीय सरकार एवं द्वारा—

(1) 16 नवम्बर, 1981 से धो वर्ष की ओर धर्मी, धर्मता

(2) उस धर्मी को जब तक हॉ. जिमेनो एसेलेस उक्त लेडी आव पिलर धर्मताल, बडोदा के माथ सम्बद्ध रहते हैं, जो

भी कम हो वह अवधि विनिविष्ट करती है, जिसमें पूर्वोक्त डॉक्टर मैडिकल ब्रैंडिस कर सकते हैं।

[सं. वी. 11016/11/81-एम. ई. (पी)]

पी. सी. जैन, अवर सचिव

ORDER

New Delhi, the 20th May, 1982

S.O. 2167.—Whereas by the notification of the Government of India in the Ministry of Health No. F. 16-15/61-MI, dated the 27th March, 1962, the Central Government has directed that the medical qualification, 'Licenciado on Medicine and Cirugia', (University of Valeneia, Spain) shall be recognised medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas Dr. Gimeno Alonso Angeles, who possesses the said qualification is for the time-being attached to the Lady Pillar Hospital, Baroda, for the purposes of charitable work;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- (i) a further period of two years with effect from 16th November, 1981 or
- (ii) the period during which Dr. Gimeno Alonso Angeles is attached to the said Lady of Pillar Hospital, Baroda, whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/11/81-M. E. (P)]

P. C. JAIN, Under Secy.

नई दिल्ली, 25 मई, 1982

S.O. 2168.—संविधान के अनुच्छेद 309 के परमुक्त तत्व अनुच्छेद 148 के अंत (5) द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए तथा भारतीय सेवा परीक्षा और लेखा विभाग में कार्य कर रहे व्यक्तियों के संबंध में भारत के केन्द्रीय और महालेखा परीक्षक से परामर्श करने के पश्चात् राष्ट्रपति एवं विधायिक सरकार स्वास्थ्य योजना (कलकत्ता) नियम, 1972 में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अधिकारी—

- (1) इन नियमों का नाम 'केन्द्रीय सरकार स्वास्थ्य योजना (कलकत्ता) (संशोधन) नियम, 1982' है।
- (2) ये सरकारी राज्यपद में प्रकाशित होने की तिथि को लागू होंगे।

2. केन्द्रीय सरकार स्वास्थ्य योजना (कलकत्ता) नियम, 1972 के नियम 1 में उपनियम (3) के स्थान पर निम्नलिखित उपनियम प्रतिस्थापित किए जाएंगे, अधिकारी—

"(3) इन नियमों का विस्तार कलकत्ता के उन भेदों वा कलकत्ता के उन निकटवर्ती भेदों पर होगा जिनका केन्द्रीय सरकार इस संबंध में बताए गए आवेदन द्वारा उल्लेख करेगी।

(4) ये नियम उन सभी व्यक्तियों पर लागू होंगे जिन्हें संघ के कार्यों के लिए कलकत्ता में सेनात किया गया है और उनका मुख्यालय कलकत्ता में या उपनियम (3) में बताए गए किसी भी भेद में हो और वे इन भेदों में यह रहे हों वहाँ किसी केन्द्रीय सरकार से आवेदन द्वारा व्यक्तियों की किसी श्वेता या वर्ग को इन नियमों के प्रवर्तन से अपवर्जित न कर दिया हो।"

[संख्या 24-5/70-केंद्रस्वास्थ्य यो. (भीती)]

कें. एस. बाटिया, अवर सचिव

New Delhi, the 25th May, 1982

S.O. 2168.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Government Health Scheme (Calcutta) Rules, 1972, namely:—

1. (1) These rules may be called the Central Government Health Scheme (Calcutta) (Amendment) Rules, 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 1 of the Central Government Health Scheme (Calcutta) Rules, 1972, for sub-rule (3), the following sub-rules shall be substituted, namely :—

"(3) They shall extend to such areas of Calcutta or such other continuous areas of Calcutta, as the Central Government may by Order made in this behalf specify.

(4) They shall apply to all persons serving in connection with the affairs of the Union stationed and having their headquarters at Calcutta or in any other area referred to in sub-rule (3) and residing in such areas. Provided that the Central Government may, by Order, exclude any class or category of persons from the operation of these rules."

[No. F. 24-5/70-CGHS (P)]

K. L. BHATIA, Under Secy.

MINISTRY OF ENERGY

(Department of Coal)

CORRIGENDUM

New Delhi, the 24th May, 1982

S.O. 2169.—In the notification of the Government of India, in the Ministry of Energy (Department of Coal), No. S.O. 292(E), dated the 6th April, 1981, published in the Gazette of India, Extraordinary, Part II-Section 3, Sub-section (ii), dated the 7th April, 1981 :—

1. At page 496, in column 2,

(1) in line 1, for "151 (part) 153 (part)" read "151 (part) 152, 153 (part)";

(2) in line 24, for "work 7" read "work and";

(3) in lines 44 and 45, the letters, words and figures "B-Ei line passes through plot number 20 of village Kurpania" shall be omitted.

(4) in line 47, for "27", read "24, 27".

2. At page 496/1,—

(1) in column 1, in line 20 and 21, the figures, brackets and words "1025 (part)" shall be omitted.

(2) in column II,—

(i) in line 8, for "169, 178, 169", read "168, 178, 169";

(ii) in lines 20 and 21, for "1025, 1028, 1025, 1024", read "1028, 1024".

[No. 19/(4)/81-CL]

SWARAN SINGH, Under Secy.

शिक्षा तथा संस्कृति मंत्रालय

संस्कृति विभाग

नई दिल्ली, 10 मई, 1982

का० आ० 2170—शास्त्राधिकारी (संघ के मरकारी प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उपनियम (4) के प्रत्युत्तर में, केन्द्रीय सरकार एवं द्वारा भारतीय पुरातत्व सर्वेक्षण के नियन्त्रित कार्यालयों को, जिनके स्टाफ ने हिन्दू का भारपूराधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है—

- (1) अधीक्षक पुरातत्वविद्,
भारतीय पुरातत्व सर्वेक्षण,
उत्तर-पश्चिम मंडल, कृष्णा विश्विला,
(चूप्लादम्), जम्मू (तवी)
- (2) अधीक्षक पुरातत्वविद्,
भारतीय पुरातत्व सर्वेक्षण,
पुराना उच्च न्यायालय भवन,
नागपुर।
- (3) अधीक्षक पुरातत्वविद्,
भारतीय पुरातत्व सर्वेक्षण,
सिंधीन फॉर्ट, सिंधीन,
कल्पवी-400022
- (4) उप अधीक्षक पुरातत्वविद्,
भारतीय पुरातत्व सर्वेक्षण, पूर्वी मंडल,
संप्रहालय शाखा, 27 औरगी रोड,
कलकत्ता-16.

[स०० एक 28-2-82-सामान्य]

गिरधारी लाल, निदेशक

MINISTRY OF EDUCATION AND CULTURE

(Department of Culture)

New Delhi, the 10th May, 1982

S.O. 2170.—In pursuance of Sub-rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Archaeological Survey of India, the staff whereof have acquired the working knowledge of Hindi :—

1. Superintending Archaeologist, Archaeological Survey of India, North-West Circle, Krishna Building, (New Plots) Jammu (Tawi).
2. Superintending Archaeologist, Archaeological Survey of India, Pre-history Branch, Old High Court Building, Nagpur.
3. Superintending Archaeologist, Archaeological Survey of India, Sion Fort, Sion, Bombay-400022.
4. Deputy Superintending Archaeologist, Archaeological Survey of India, Eastern Region, Museum Branch, 27, Chowringhee Road, Calcutta-16.

[No. F. 28-2/82-Gen.]
GIRDHARI LAL, Director

(शिक्षा विभाग)

नई दिल्ली, 13 मई, 1982

का० आ० 2171—सार्वजनिक स्थान (अनाधिकृत रूप से रहने वाली को नियानने के) प्रधिनियम, 1971 (1971 का 40) की आगा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारत सरकार एवं द्वारा दिल्ली विश्वविद्यालय के सहायक रजिस्ट्रार (सम्पदा) को इस अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी वियुक्त करती है। सहायक रजिस्ट्रार (सम्पदा) विली विश्वविद्यालय के स्थानीय सीमाओं के भीतर और प्रशासनिक नियन्त्रण में सार्वजनिक स्थानों के सम्बन्ध में इस अधिनियम के अन्तर्गत सम्पदा अधिकारी के प्रधिकारों का उपयोग करेंगे और उनकी दृष्टी भी पूरी करेंगे।

[स० फा० 4-113/81-डेस्क (यू)]

एस०एन० मिंट, डेस्क अधिकारी

(Department of Education)

New Delhi, the 13th May, 1982

S.O. 2171.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Assistant Registrar (Estate), University of Delhi, as Estate Officer for the purposes of this Act. The Assistant Registrar (Estate) shall exercise the powers conferred and perform the duty, imposed, on Estate Officer by or under the said Act in respect of public premises within the local limits and under the administrative control of the University of Delhi

[No. F. 4-113/81/Desk(U)]

S. N. SINGH, Desk Officer

शोषण और परिषोषण मंत्रालय

(परिषोषण वभ)

नई दिल्ली, 22 मई, 1982

का० आ० 2172—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की आगा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, बांडला डाक कर्मकार (नियोजन का विनियमन) स्कोर, 1969 में और संशोधन करना चाहती है। जैसा कि उक्त उपधारा में प्रवेशित है, प्राचीन संस्कृत का नियन्त्रित प्रारूप उन सभी शक्तियों की जागहारी के लिए प्रकाशित किया जा रहा है, जिनके उनसे प्रभावित होने की गम्भीरता है। इसके द्वारा सूचना दी जानी है कि उक्त प्राकृत पर इस अधिकूचना के उत्तरांत्र में प्रकाशन की तारीख से बो सात की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

उपरोक्त प्रविधि से पूर्व नियमों के उक्त प्रारूप की वाबन जो भी अपेक्षित या सुझाव किसी व्यक्ति से प्राप्त होंगे, केंद्रीय सरकार उन पर विचार करेगी।

स्कीम का प्रारूप

1. इस स्कीम का संक्षिप्त नाम कोडला डाक कर्मकार (नियोजन का विनियमन) (संशोधन) स्कीम, 1982 है,

2. कोडला डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1969 में, (1) खण्ड 6 के स्थान पर नियन्त्रित खण्ड रखा जाएगा, प्रथम्—

“6. अधिकारियों और अन्य कर्मचारियों की सेवा और नियुक्ति के नियन्त्रित और शर्तें :

(1) ओड़ि, अधिकारियों और अन्य कर्मचारियों के बारे में सेवा के ऐसे नियन्त्रित और शर्तें भी हैं, जिनके अन्तर्गत वेतन तथा भत्तों के नियन्त्रित और शर्तें भी हैं, जो वह ठीक समझे, विद्वित कर सकेंगा :

परन्तु बोई, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना ऐसा कोई पर सुनित नहीं करेगा जिसका अधिकातम वेस्ट सोलह सी पचास रुपए प्रतिमास और उससे अधिक हो।

(2) अधिकारियों और अन्य कर्मचारियों की नियुक्ति में उसके लिए अन्यत्र, अन्यथा उपलब्धित के विवाएँ अध्यक्ष द्वारा की जाएंगी।

परन्तु अध्यक्ष, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना उन परों पर नियुक्ति नहीं करेगा जिनका अधिकातम वेस्ट, भत्तों को छोड़कर सोलह सी पचास रुपए और उससे अधिक हो।

परन्तु यह भी कि एक मास में अनधिक की अवधि के लिए छह द्वितीय के कारण हुई किसी नियुक्ति पर नियुक्ति के लिए केन्द्रीय सरकार का अनुमोदन अतिरिक्त नहीं होगा।

(2) खण्ड 8 में,

(क) उपलब्ध (क), (ख), (ग) और (द) का लोप किया जाएगा।

(ख) उपलब्ध (ठ) के स्थान पर निम्नलिखित उपलब्ध रखा जाएगा, अर्थात्—

"(ठ) खण्ड 6 के उपलब्धों के अधीन रहते हुए परों के सूजन की मंजूरी दे सकेगा,"

(3) खण्ड 10 के उपलब्ध (1) में,

(क) मद (क) और (ख) के स्थान पर निम्नलिखित मद रखी जाएंगी, अर्थात्—

"(क) रजिस्टरों के कालिक पुनरीक्षण और पूर्वानुमानित अपेक्षाओं के पश्चात् केन्द्रीय सरकार के पूर्वानुमोदन से विभिन्न प्रबंगों के अधीन कर्मकारों की संख्या नियत करेगा और किसी प्रबंग की रजिस्टर में दी गई कर्मकारों की संख्या की, समय-समय पर यथावत्यक बदाना या बदाना।

(ख) किसी प्रबंग में कर्मकारों की किसी विनियिष्ट "संख्या के, किसी विनियिष्ट अवधि के लिए, अस्थायी रजिस्ट्रीकरण की मंजूरी देना—

(4) खण्ड 17 के पश्चात् निम्नलिखित नवा खण्ड अन्तर्व्यापित किया जाएगा, अर्थात्—

17क. प्रतलाद्यस्ती: (क) अध्यक्ष को यहीं होगी कि वह किसी प्रबंग के अधिकारियों को उस प्रबंग में जिसमें कर्मकारों की कमी है और कांडला प्ररजिस्ट्रीकूट डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 के मन्त्रालय द्वारा वाले कर्मकारों के किसी प्रबंग में भी भवित्वियोजित करे किन्तु ऐसा इस तर्त द्वारा रखते हुए किया जाएगा कि ऐसे अभियोजन से पिछली सेवा की मंजूरी में कमी या प्रमुखियाओं में हानि नहीं होगी;

टिप्पणी: यदि स्कीम के उस प्रबंग में, जिसमें कमी है, मंजूरी या प्रमुखिया कम है तो स्थानान्तरण उपलब्धता के आधार पर किया जाएगा अर्थात् कर्मियों को स्थानान्तरित किया जाएगा और उसके द्वारा उपलब्धता की जा रही मंजूरी और प्रमुखियाओं को, उसके लिए वैयक्तिक ममता कर, संरक्षित किया जाएगा।

(ख) अध्यक्ष को यह भी कहीं होगी कि वह कांडला पत्तन यास के अधिकारियों को उस प्रबंग में अभिनियोजित करे जिसमें कर्मकारों की कमी है किन्तु ऐसा इस तर्त के अधीन रहते हुए, किया जाएगा कि ऐसे अभियोजन से पिछली सेवा की मंजूरी में कमी या प्रमुखिया में हानि नहीं होगी;

(5) खण्ड 18 में,

(i) "बोई" शब्द के स्थान पर उहाँ कही वह माना है, "अध्यक्ष" शब्द रखा जाएगा।

(ii) उपलब्ध (1) के पश्चात् निम्नलिखित उपलब्ध रखा जाएगा, अर्थात्—

"(1क) अध्यक्ष, प्रत्येक प्रबंग में अवेक्षित कर्मकारों की संख्या का कालिकतः पुनर्विलोकन करेगा और केन्द्रीय सरकार के अनुमोदन से स्थायी या समयोजन करने के लिए उपयुक्त कार्रवाई करेगा।"

(6) खण्ड 19 में—

(i) उपलब्ध (3) में, शब्द "बोई" के स्थान पर, "अध्यक्ष" शब्द रखा जाएगा—

(ii) उपलब्ध (4) के स्थान पर, निम्नलिखित उपलब्ध रखा जाएगा, अर्थात्—

"(4) ऐसे किसी भी प्रबंग में, जिसमें डाक कर्मकार पहले ही स्कीम के अधीन रजिस्ट्रीकूट किए जा रहे हों, कोई भी नई भर्ती नहीं चाहेवा वह अस्थायी तौर पर हो या स्थायी तौर पर हो, स्थायी रोजगार कार्यालय में रजिस्ट्रीकूट कर्मकारों में से की जाएगी। किन्तु यदि कांडला पत्तन यास द्वारा नियोजित कर्मकारों के किसी प्रबंग में अधिकारियों के अधीन रजिस्ट्रीकूट कर्मकार हैं तो ऐसे अधिकारियों को इस स्कीम के अधीन स्थानान्तरित और रजिस्ट्रीकूट किया जाएगा। स्थानान्तरण के पश्चात् यदि अध्यक्षों के रजिस्टरात उपयुक्त व्यक्तियों की संख्या से अधिक व्यक्तियों की अधिकारियों हो तो रोजगार कार्यालय के रजिस्टरात उपयुक्त व्यक्तियों को से लेने के पश्चात् भीषी भर्ती की जा सकेगी।"

(7) खण्ड 45 में, उपलब्ध (3) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—

"(3) अस अधिकारों, उपलब्ध (1) या (2) के अधीन किसी भी मामले पर विचार करेगा और यदि प्रारम्भिक मन्त्रेश्वर के पश्चात् तथा उस कर्मकार को सुनवाई का युक्तिमुक्त अधिकार देने के पश्चात् उसका यह समाधान हो जाए कि रजिस्ट्रीकूट डाक कर्मकार यथाउपर्युक्त किसी विधिवृत्ति आदेश का पालन करने में असफल रहा है तो वह आदेश पारित करेगा कि उस रजिस्ट्रीकूट डाक कर्मकार को खण्ड 44 के प्रधान उत्तरी अधिकार के लिए सबस्य नहीं किया जाएगा जिसमें भी अधिकारी उचित समझे।"

(8) खण्ड 46 में;

(i) उपलब्ध (i) की मद (ii) की उप-मद (ख) में, "बोई" शब्द के स्थान पर उहाँ कही वह माना है, "अध्यक्ष" शब्द रखा जाएगा।

(ii) उपलब्ध (5) में मद (ग) के पश्चात् निम्नलिखित मद को रखा जाएगा, अर्थात्—

"(गक) उसके बेतन में कटीती करेगा और/या उसे निम्नतर प्रबंग में प्रत्यावर्तित कर देगा।"

(9) स्कीम की प्रमुखी 1 में, मद 1 के पश्चात् निम्नलिखित मद अन्तर्व्यापित की जाएगी, अर्थात्—

"(1क) यदि कांडला डाक भव बोई में अधिकार व्यवस्था हो और पत्तन यास के अधीन स्थानान्तरण कर्मकारों के तत्समान प्रबंगों में कमी हो तो साक्षात्कार स्थानान्तरण की अवधि या अधिकारी पृष्ठ यास से भिन्न की तर

पर उडाई-धराई भर्ती धाट पर मिलों में से स्पोरा की लकाई/उताराई तथा उसे धाट से अभिवहन क्षेत्र में, और विशेषज्ञ, देजाना, प्राप्तिवहन क्षेत्र में स्पोरा की उडाई-धराई।

[कांसू एल डी जी/36/81-एस 4]

श्री० शक्तरामन, उप मन्त्री

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 22nd May, 1982

S.O. 2172.—The following draft of a scheme further to amend the Kandla Dock Workers (Regulation of Employment) Scheme, 1969 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Worker (Regulation of Employment) Act, 1948 (9 of 1948) is hereby published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the Official Gazette;

Any objections or suggestions which may be received from any person with respect to said draft before the aforesaid period will be taken into consideration by the Central Government.

DRAFT SCHEME

1. This Scheme may be called the Kandla Dock Workers (Regulation of Employment) (Amendment) Scheme, 1982;

2. In the Kandla Dock Workers (Regulation of Employment) Scheme, 1969,

(1) for clause 6, the following clause shall be substituted, namely :—

“6 Terms and conditions of service and appointment of officers and other staff.—(1) The Board may prescribe the terms and conditions of service including those of salaries and allowances, as it may deem fit, in respect of officers and other members of staff :

Provided that no post the maximum salary of which exclusive of allowance is rupees one thousand six hundred and fifty and above per mensem shall be created by the Board except with the previous approval of the Central Government.

(2) The appointment of officers and other members of staff shall be made by the Chairman except as otherwise provided for elsewhere in the Scheme;

Provided that no appointment to posts the maximum salary of which exclusive of allowances is rupees one thousand and six hundred and fifty and above per mensem shall be made by the Chairman except with the previous approval of the Central Government :

Provided further that the approval of the Central Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than one month.”;

(2) in clause 8,—

(a) sub-clause (a), (b), (c) and (k) shall be deleted.

(b) for sub-clause (1), the following sub-clause shall be substituted, namely :—

“(1) subject to the provision of clause 6, sanction to creation of posts.”;

(3) in clause 10,—in sub-clause (1),

(a) for items (a) & (b), the following items shall be substituted, namely :—

“(a) to fix the number of workers under various categories and to increase or decrease the number of workers in any category on the Register from time to time as may be necessary after a periodical review of Registers and anticipated requirements with the previous approval of the Central Government;

(b) to sanction the temporary registration of a specified number of workers in any category for a specified period;”

(4) after clause 17, the following new clause shall be inserted, namely :—

17A : Interchangeability :—(a) The Chairman shall have power to deploy surplus workers in a category to the category wherein there is a shortage of workers, as also under any one of the categories of worker covered by the Kandla Unregistered Dock Workers (Regulation of Employment) Scheme 1968 subject to the condition that such deployment will not lead to reduction in the wages or loss of benefit from the past service;

Note :—If the category of Scheme in which there is a shortage carries lower wage or benefit, transfer will be made on the basis of seniority, junior-most person being transferred and the wages and benefits being enjoyed by them protected as personal to them.

(b) The Chairman shall also have the power to deploy any surplus worker employed under the Kandla Port Trust in a category in which there is a shortage subject to the condition that deployment will not lead to reduction in the wages or loss of benefit from past service”;

(5) in clause 18,—

(i) for the word “Board” wherever it occurs, the word “Chairman” shall be substituted.

(ii) after sub-clause (1), the following sub-clause shall be inserted, namely :—

“(1A) The Chairman shall periodically review the numbers of workers required in each category and shall take suitable action to adjust the number with the approval of the Central Government.”

(6) in clause 19,—

(i) In sub-clause (3) for the word “Board”, the word “Chairman” shall be substituted;

(ii) for sub-clause (4) the following sub-clause shall be substituted, namely :—

“(4) Any fresh recruitment, whether on a temporary or permanent basis, in any category in which dock workers have already been registered under the Scheme shall be done from amongst the workers registered with the Local Employment Exchange. If, however, there is a surplus in any category of workers employed by the Kandla Port Trust such surplus workers may be transferred and registered under this scheme. After the transfer, if the requirement exceeds the number of suitable men available on the register of the Employment Exchange on the day of the requisition, direct recruitment may be made after absorbing suitable men from the Employment Exchange register.”

(7) in clause 45, for sub-clause (3), the following shall be substituted, namely :—

“(3) The Labour Officer shall consider any matter under sub-clause (1) or (2) and if, after preliminary investigation and after giving reasonable

opportunity to the worker of being heard, he is satisfied that the registered dock worker has failed to comply with a lawful order as aforesaid, pass an order that the registered dock worker shall not be paid under clause 44 for such period as Labour Officer thinks fit";

(8) In clause 46;—

- (i) in sub-clause (1), item (ii), sub-item (b), for the word 'Board' wherever it occurs the word 'Chairman' shall be substituted;
- (ii) in sub-clause (5), after item (c), the following item shall be substituted, namely :—
"(ca) effect reduction in his pay and/or revert him to the lower category";

(9) in Schedule-I of the Scheme, after item 1 the following item shall be inserted, namely :—

"(1a) Shore handling of general cargo (i.e., other than bulk cargo) i.e., loading/unloading of the cargo into/from the slings on the wharf and carrying the same from wharf to the transit area, and vice versa, handling of the cargo within the transit area, in case there is surplus in the Kandla Dock Labour Board and shortage in the corresponding categories of cargo handling workers under the Port Trust".

[F. No. LDK/19/81-LJV]

V. SANKARALINGAM, Dy. Secy.

मई दिन्ही, 31 मई, 1982

का० आ० 2173:—केन्द्रीय सरकार, नाविक भविष्य निधि स्कीम, 1966 के द्वारा प्रवत्त मिक्टियों का प्रयोग करने हुए, और भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना संख्या 1449 दिन 3 मई, 1978 का अधिकारित करने हुए, नाविक भविष्य निधि के न्यासी मंडल के परामर्श के उपरान्त वह निश्चित करती है, कि उक्त स्कीम के पैरा 35 के तहत भविष्य निधि आणदान के 2% (दो प्रतिशत) के बगवर प्रशान्तिक प्रभार देय होगा जो पहली अर्द्धन, 1982 मे पाण होगा।

[का०सं० एमडब्ल्यू/एम डब्ल्यू एम-28/82-गमटी]

अनुराग भट्टनगर, प्रबन्ध सचिव

New Delhi, the 31st May, 1982

S.O. 2173.—In exercise of the powers conferred by paragraph 37 of the Seamen's Provident Fund Scheme, 1966, and in supersession of the notification of the Government of India in the Ministry of Shipping & Transport (Transport Wing) No. 1449 dated 3rd May, 1978, the Central Government, in consultation with the Board of Trustees of the Seamen's Provident Fund hereby fixes with effect from the 1st prilA, 1982, the Administrative Charge Payable under paragraph 35 of the said Scheme at 2% (Two per cent) of the Provident Fund contribution.

[F. No. SW/MWS-(28)/82-MT]

ANURAG BHATNAGAR, Under Secy.

मई दिन्ही, 28 मई 1982

का० आ० 2174.—मुम्बई खाद्याल उडाई फर्मकार (नियोजन का विनियमन), स्कीम, 1975 का संशोधन करने के लिए कनिपय प्राप्त, स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की द्वारा 4 की उपदारा (I) द्वारा यथा अपक्रित भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन अंडा) की अधिसूचना सं० का० आ० 17 तारीख 8 दिसेम्बर, 1981 के अधीन भारत के राजपत्र, साप्त 2, अंड 3, उपर्युक्त (II) तारीख 2 जनवरी, 1982

पृष्ठ पर प्रकाशित की गई थी, जिसमें उक्त अधिसूचना के राजालाल में प्रकाशन की तारीख से साठ दिन की प्रतिधि की समाप्ति तक उक्त सभी व्यक्तियों से आक्षेप और सुझाव मांगे गए थे, जिनके उसमें प्रभावित होने की सम्भावना थी ;

और उक्त राजपत्र 18 जनवरी, 1982 को जनता को उपलब्ध करा दिया गया था ;

और केन्द्रीय सरकार को जनता से उक्त प्राप्त स्कीम की वापत कोई आक्षेप और सुझाव प्राप्त नहीं हुआ है ;

अब, केन्द्रीय सरकार, उक्त अधिनियम की द्वारा 8 की उपदारा (I) द्वारा प्रदत्त व्यक्तियों का प्रयोग करने हुए, मुम्बई खाद्याल उडाई फर्मकार (नियोजन का विनियमन) स्कीम, 1975 का और संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात् —

1. संक्षिप्त नाम और प्राप्तम् (1) इस स्कीम का संक्षिप्त नाम मुम्बई खाद्याल उडाई फर्मकार (नियोजन का विनियमन) स्कीम, 1982 है।

2. मुम्बई खाद्याल उडाई फर्मकार (नियोजन का विनियमन स्कीम) 1975 के अंड 43 के उपबद्ध (3) के स्थान पर निम्नलिखित रखा जाएगा अर्थात् —

"(3) अम प्रधिकारी उपबद्ध (1) या (2) के अधीन उद्भूत होने वाले किसी माल पर विकार करेगा और यदि प्राप्तिक अन्वेषण के पश्चात् और कर्मकार का मुनवाई का उचित अवधार देने के पश्चात् उसका वह समाधान हो जाता है कि रजिस्ट्री-फूल डाक कर्मकार यथापूर्वक विधिपूर्ण आदेश का अनुपालन करने में असकल रहा है तो वह आदेश पारित कर मकान कि उस रजिस्ट्री-फूल डाक कर्मकार को अंड 42 के अधीन उसनी प्रधिकारी के लिए सदाय नहीं किया जाएगा जितनी अम प्रधिकारी ठीक समझे ।"

[मं० एल०डी० बी०/22/80-एल-1]

बी० शकंरालिगम,

उप सचिव

ठिप्पण—मूल मुम्बई खाद्याल उडाई फर्मकार (नियोजन का विनियमन) स्कीम, 1975 का निम्नलिखित प्रधिसूचना राजपत्र द्वारा संशोधन किया गया है :—

अधिसूचना का संबोधक और तारीख

राजपत्र अधिसूचना की विविदिया तारीख

एल०डी०बी०/8/80 ता० 31-1-81 सं०

का० आ० 543

14-2-1981

New Delhi, the 28th May, 1982

S.O. 2174.—Whereas certain draft scheme to amend the Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1975 was published as required by sub-section (1) of Section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) at pages 7-8 of the Gazette of India, Part II, section 3, sub-section (ii) dated 2nd January, 1982 under the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 17 dated the 8th December, 1981 inviting objections and suggestions from all persons likely to be effected thereby, till the expiry of a period of 60 days from the date of publication of the said notification in the Official Gazette :

And whereas the said Gazette was made available to the public on the 18th January, 1982 ;

And whereas no objections and suggestions have been received from the public on the said draft scheme by the Government of India ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central

Government hereby makes the following scheme further to amend the Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1975, namely:—

1. Short title and commencement.—This Scheme may be called the Bombay Foodgrain Handling Workers (Regulation of Employment) Amendment Scheme, 1982.

2. In the Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1975, in clause 43, for sub-clause (3), the following shall be substituted, namely:—

"(3) The Labour Officer shall consider any matter arising under sub-clause (1) or (2) and if, after preliminary investigation and after giving reasonable opportunity to the worker of being heard, he is satisfied that the registered dock worker has failed to comply with a lawful order as aforesaid, pass an order that the registered dock worker shall not be paid under clause 42, for such period as Labour Officer thinks fit."

[F. No. LDB/22/80-L-IV]

V. VANKARALINGAM, Dy. Secy.

Note.—The Principal Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1976 has been amended vide Notification/Gazette detailed below:—

No. & Date of Notification

L/8/80 dated 31-1-1981

Particulars of Gazette/Notification

S.O. 543 dt. 14-2-1981.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 20 मई, 1982

का० आ० 2175.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए, प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, दूरदर्शन केन्द्र, रायपुर, को, जिसके कामकारीवृन्द ने हिन्दी का कार्यालय ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या F-11011/5/82-हिन्दी]

इन्हें भूषण कर्ण, अधर सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 20th May, 1982

S.O. 2175.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the Rules, 1976, the Central Government hereby notifies the Doordarshan Kendra, Raipur, the staff whereof have acquired the working knowledge of Hindi.

[No. F. 11011/5/82-Hindi]

I. B. KARN, Under Secy.

आवेदन

नई दिल्ली, 27 मई, 1982

का० आ० 2176.—फिल्म सलाहकार बोर्ड के कार्यकारण से संबंधित विनियमों के नियम 14(व) के उपबोरों के अन्तर्गत प्रदर्शन अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार एतव्यद्वारा इसके साथ लगी अनुसूची के कालम 2 में शी गई फिल्मों को उनके सभी भारतीय भाषाओं के रूपान्वयों महित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में विद्या हुआ है, स्वीकृत करती है:—

अनुसूची

क्रम संख्या फिल्म का नाम	फिल्म की आवेदक का नाम लंबाई (मीटरों में)	निमित्ति का नाम	यह वैश्वनिक फिल्म है या शिक्षा मंबंधी फिल्म है या समाचार और मामलिक धटनाओं को फिल्म है या डाकुमेंटी फिल्म है	5	6
1	2	3	4	5	6
1. भारतीय समाचार समीक्षा सं० 304-00 1742	फिल्म प्रभाग भारत सरकार, 24-पेडर रोड बम्बई-26		समाचार और सामयिक धटनाओं की फिल्म समान्य प्रदर्शन के लिए।		
2. भारतीय समाचार समीक्षा सं० 300. 5 1743 और भारतीय समा- चार समीक्षा सं० 1743 (प्रावेशिक उत्तर)	फिल्म प्रभाग, भारत सरकार, 24-पेडर रोड, बम्बई-26		समाचार और सामयिक धटनाओं की फिल्म/क्रमण सामान्य और प्रावेशिक प्रवर्द्धन के लिए।		
3. भारतीय समाचार समीक्षा सं० 299. 00 1744 और भारतीय समा- चार समीक्षा सं० 1744 (प्रावेशिक पूर्व)	फिल्म प्रभाग, भारत सरकार, 24-पेडर रोड, बम्बई-26		समाचार और सामयिक धटनाओं की फिल्म/क्रमण सामान्य और प्रावेशिक प्रदर्शन के लिए।		
4. भारतीय समाचार समीक्षा सं० 258. 47 1745		-नयेव-	समाचार और सामयिक धटनाओं की फिल्म सामान्य प्रदर्शन के लिए।		
5. भारतीय समाचार समीक्षा सं० 226. 00 1745-क		-नयेव-	समाचार और सामयिक धटनाओं की फिल्म सामान्य प्रदर्शन के लिए।		
6. भारतीय समाचार समीक्षा सं० 301. 00 1746 और भारतीय समाचार समाचार समीक्षा सं० 1746 (प्रावेशिक दस्तिण)		-नयेव-	समाचार और सामयिक धटनाओं की फिल्म/क्रमण सामान्य और प्रावेशिक प्रवर्द्धन के लिए।		

1	2	3	4	5	6
7.	भारतीय समाचार समीक्षा सं०	299.00	फिल्म प्रभाग, भारत सरकार, 24-पेडर रोड, बम्बई-26	नमाचार और सामयिक धनांशों की फिल्म : अमाल / सामाज्य और प्रादेशिक प्रदर्शन के लिए।	
8.	भारतीय समाचार समीक्षा सं०	298.00	-तथैव-	-तथैव-	
	1747 और भारतीय समा- चार समीक्षा संख्या 1747 (प्रादेशिक पश्चिम)				
9.	भारतीय समाचार समीक्षा सं०	286.00	-तथैव-	-तथैव-	
	1749 और भारतीय समा- चार समीक्षा संख्या 1749 (प्रादेशिक उत्तर)				
10.	भारतीय समाचार समीक्षा सं०	297.00	-तथैव-	-तथैव-	
	1750 और भारतीय समा- चार समीक्षा संख्या 1750 (प्रादेशिक वर्किंग)				
11.	भारतीय समाचार समीक्षा सं०	292.00	-तथैव-	-तथैव-	
	1751 और भारतीय समाचार समीक्षा संख्या 1751 (प्रादेशिक पश्चिम)				
12.	भारतीय समाचार यैगजीन संख्या	278.00	-तथैव-	समाचार और सामयिक धनांशों की फिल्म / सामाज्य प्रदर्शन के लिए।	
	13				

[फा० स० 315/2/82-एफ (पी)]
मुकुमार मण्डल, डेस्क अधिकारी

प्रतिलिपि प्रेषितः-

- सभी राज्य सरकारों के मुख्य सचिवों को सूचना के लिए। निवेदन है कि यह आदेश फिर से राज्य के राजपत्र में प्रकाशित किया जाए और उनकी प्रतियोगी लाइसेंस संबंधी अधिकारियों को भेज दी जाए।
- संघ प्रशासित क्षेत्रों के प्रशासनों के प्रमुख।

ORDER

New Delhi, the 27th May, 1982

S. O. 2176.—In exercise of the power vested under the provisions of Rule 14(d) of the Regulations relating to the Working of the Film Advisory Board, the Central Government hereby approves films specified in column 2 of the Schedule annexed hereto in all its/their languages version to be of the description specified against it/each in column 6 of the said schedule.

SCHEDEULE

Sl. No.	Title of the film	Length of the film in metres	Name of the applicant	Name of the producer	Brief synopsis, whether a scientific film or for educational purposes of a film dealing with news current events and documentary film
1	2	3	4	5	6
1.	INR No. 1742	304 mtrs.	Films Division, Govt. of India 24-Peddar Road, Bombay-26.		News & Current Events. General Release.
2.	INR No. 1743 & INR No. 1743 (Regional North)	300.5 mtrs.	-do-		News and Current Events General and Regional Release respectively.
3.	INR No. 1744 & INR No. 1744 (Regional East)	299 mtrs.	-do-		-do-

1	2	3	4	5	6
4. INR No. 1745	258.47 mtrs.	Films Division, Govt. of India, 24-Peddar Road, Bombay-26.		News and Current Events General Release.	
5. INR No. 1745-A	226 mtrs.	-do-		News and Current Events General Release.	
6. INR No. 1746 & INR No. 1746 (Regional South).	301 mtrs.	-do-		News and Current Events General and Regional Release respectively.	
7. INR No. 1747 & INR No. 1747 (Regional West)	299 mtrs.	-do-		-do-	
8. INR No. 1748 & INR No. 1748 (Regional North)	298 mtrs.	-do-		-do-	
9. INR No. 1749 & INR No. 1749 (Regional East)	286 mtrs.	-do-		-do-	
10. INR No. 1750 & INR No. 1750 (Regional South)	297 mtrs.	-do-		-do-	
11. INR No. 1751 & INR No. 1751 (Regional West)	292 mtrs.	-do-		-do-	
12. Indian News magazine No. 13.	278 mtrs.	-do-		News & Current events General Release.	

[File No. 315/2/82-F.P]

SUKUMAR MANDAL, Desk Officer

संचार मंत्रालय

(आक तार बोर्ड)

नई दिल्ली, 27 मई, 1982

का० आ० 2177.—स्थायी आवेदा संख्या 627, दिनांक 8 मार्च, 1960 के द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार आकतार महानिवेशक ने नुना टेलीफोन केन्द्र में दिनांक 16-5-1982 से प्रमाणित दर प्रनाली लागू करने का निश्चय किया है।

[सं० 5-6-82/पी० एच० बी०]

नई दिल्ली, 5 जून, 1982

का० आ० 2178--स्थायी आवेदा संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार आकतार महानिवेशक ने कावाली टेलीफोन केन्द्र में दिनांक 16-6-82 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-6-82/पी० एच० बी० (पार्ट)]

आर० सी० कटारिया,

सहायक महानिवेशक पी० एच० ए०

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 27th May, 1982

S.O. 2177.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-6-1982 as the date on which the Measured Rate System will be introduced in Nunna Telephone Exchange, Andhra Pradesh Circle.

[No. 5-6/82-PHB]

New Delhi, the 5th June, 1982

S.O. 2178.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-6-1982, as the date on which the Measured Rate System will be introduced in Kavali CBM Telephone Exchange, Andhra Pradesh Circle.

[No. 5-6/82-PHB(Pt.)]

R. C. KATARIA, Asstt. Director General (PHB)

पूर्ति और पुनर्वासि मंत्रालय

(पुनर्वासि विभाग)

नई दिल्ली, 10 मई, 1982

का० आ० 2179.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वासि) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मुख्य बन्दोबस्तु आयुक्त इसके द्वारा उक्त अधिनियम की धारा 23 और 24 के अन्तर्गत शक्तियों प्रीत्र पुनर्वासियों को मुनने के लिए इस तारीख की समसंबंधित अधिसूचना द्वारा बन्दोबस्तु आयुक्त के रूप में नियुक्त पुनर्वासि विभाग के प्रबंध सचिव श्री ए०एन०पी० सिंहा को उक्त धाराओं के अन्तर्गत प्रपत्ती शक्तियां सीपते हैं।

[संख्या 1 (7)/विशेष सैल/82/एस०एस०-II(अ)]

एस०एस० बसु, मुख्य बन्दोबस्तु आयुक्त

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

ORDER

New Delhi, the 10th May, 1982

S.O. 2179.—In exercise of the powers conferred by Sub-Section (2) of Section 34 of the Displaced persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Chief Settlement Commissioner hereby delegates to Shri A. N. P. Sinha, Under Secretary in the Department of Rehabilitation appointed as Settlement Commissioner Vide Notification of even number and date, his powers under Section 23 and 24 of the said Act for the purpose of hearing appeals and revisions under these Sections.

[No. 1(7)/Spl. Cell/82-SS. II. (B).]

S. K. BASU, Chief Settlement Commissioner

धर्म मंत्रालय

आदेश

नई दिल्ली, 26 अप्रैल, 1982

का० आ० 2180.—वेद्यीय मरकार की नीय है कि इससे उपादान प्रन्तुसूची में विनिर्दिष्ट विषय के बारे में स्टेट बैंक आ०फ बैंकानेर और जयपुर के प्रबन्धतत्र से संबद्ध एक श्रीधोगेक विवाद तियोजकों और उनके वकीलों के बीच विद्यमान है;

और केंद्रीय सरकार उक्त विवाद को न्यायिनियन के लिए निर्देशित करता बाल नीय समझती है;

अतः, केंद्रीय मरकार, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक श्रीधोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री राम राज लाल गूप्त होंगे, जिसका मुख्यालय जयपुर में होगा और उक्त श्री राम राज लाल गूप्त होंगे, जिसका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायिनियन के लिए निर्देशित करती है।

अनुसूची

“क्या स्टेट बैंक आ०फ बैंकानेर और जयपुर के प्रबन्धतत्र की अपनी देशन शाल के संबंध में 1-1-79 से मुख्य खतांत्री, श्री एस०एन०पी०होरि को पश्चात्य करने की कार्यवाही न्यायिनियन है? यदि नहीं, तो संबंधित कर्तव्यों का शुक्रदा० है।

[ग० एन० 12012 (168)/81-डी० II (ए)]

MINISTRY OF LABOUR

ORDER

New Delhi, the 26th April, 1982

S.O. 2180.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of State Bank of Bikaner & Jaipur and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Ram Raj Lal Gupta shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of State Bank of Bikaner and Jaipur in relation to its Begun Branch in dismissing Shri S. N. Puohit, Head Cashier with effect from 1-1-79 is justified? If not, to what relief is the workman concerned entitled?”

[No. L-12012(168)/81-D.II(A)]

का० आ० 2181.—इससे उपादान प्रन्तुसूची में विनिर्दिष्ट श्रीधोगिक विवाद, श्री भगवान दास जोहरी, पीठासीन अधिकारी, श्रीधोगिक अधिकरण, जयपुर के समक्ष लंबित है—

और उक्त श्री भगवान दास जोहरी, की सेवा अब उपलब्ध नहीं रही है;

अतः केंद्रीय सरकार श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33क की उपधारा (1) के माध्यम से धारा 7-क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक श्रीधोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी, श्री राम राज लाल गूप्त होंगे, जिसका मुख्यालय जयपुर में होगा और उक्त श्री राम राज लाल गूप्त होंगे, पीठासीन अधिकारी श्रीधोगिक अधिकरण, जयपुर के ममक्ष नवित उक्त विवादों से संबद्ध कार्यवाही को वापस लेती है और उपर्युक्त विवादों को श्री राम राज लाल गूप्त, पीठासीन अधिकारी, श्रीधोगिक अधिकरण, जयपुर को इस निवेश के माध्यम से अन्तर्गत करती है कि उक्त अधिकरण कार्यवाही के उसी प्रकार से अग्रसर होगा जिस पर वह उसे अन्तर्गत को जाती है और विधि के अनुमान उसका निपटान करेगा।

अनुसूची

का० आदेश की संख्या

स० श्री० तारीख

पक्षकारों का नाम

1. एन० 12012/255/80-

डी०-II (ए) तारीख

स्टेट बैंक आ०फ बैंकानेर और जयपुर के

17-7-81

प्रबन्धतत्र और श्री हसुमान महाय शर्मा के बीच।

[म० एन० 12012(255)/80-डी०-II (ए)]

S.O. 2181.—Whereas the Industrial dispute specified in the Schedule hereto annexed are pending before Shri Bhagwan Das Johri, the Presiding Officer, Industrial Tribunal, Jaipur.

And whereas the exercise of Shri Bhagwan Das Johri are no longer available;

Now therefore, in exercise of the powers conferred by section 7A read with sub-section (1) of the section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri Ram Raj Lal Gupta with headquarters at Jaipur, and withdraws the proceedings in relation to the said dispute pending before the said Shri Bhagwan Das Johri, Presiding Officer, Industrial Tribunal, Jaipur and transfers the same to Shri Ram Raj Lal Gupta, Presiding Officer, Industrial Tribunal, Jaipur, with the direction that the said Tribunal shall proceed with the proceeding from the stage at which they are preferred with that and dispose of the same according to law.

SCHEDULE

Sl. No.	Number & Date of the Order	Name of the Parties
1.	No.L-12012/255/80-D-II(A) dated 17-7-1981.	State Bank of Bikancer & Jaipur and Shri Hanuman Sahai Sharma.

[No.L-12012(255)/80-DII(A)]

आवेदा

नई दिल्ली, 27 अप्रैल, 1982

का० आ० 2182.——केन्द्रीय सरकार की राय है कि इसमें उपबद्ध अनुसूची में विनियिष्ट विषय के बारे में सिडीकेट बैंक के प्रबंधनवाले सबद्ध एक श्रीरामगिरि विवाद नियोजितों और उनके कर्मकारों के बीच विवाद मान है,

श्री केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वादमीय समझती है;

प्रतः, केन्द्रीय सरकार, श्रीरामगिरि विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के अड (घ) द्वारा प्रदत्त अनियतों का प्रयोग करते हुए, एक श्रीरामगिरि अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० मुन्द्रसनम डेनियल होगी, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण का न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या सिडीकेट बैंक के प्रबंधनवाले की श्री एम० मारिया विसेट पान, प्रटेंडर साकर भौहल्ला शास्त्रा, मैसूर को 1-8-78 से पद्ध्यूत करने की कायदाही न्यायोनित है? यदि नहीं, तो संश्लिष्ट कर्मकारों किस अनुसूची का हकदार हैं?”

[मा० एन० 12012/279/81-डी०-II (४०)]

ORDER

New Delhi, the 27th April, 1982

S.O. 2182.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Syndicate Bank and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government Considers it desirable to refer the said dispute for adjudication;

Now therefore in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of

the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sundarsanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Syndicate Bank, Manipal, in dismissing Shri M. Maria Vincent Paul Attender, Lashkar Mohalla Branch, Mysore with effect from 1-8-78 is justified? If not, to what relief is the workmen concerned entitled?”

[No. L 12012/279/81-D.II(A)]

आवेदा

नई दिल्ली, 1 मई, 1982

का० आ० 2183.—केन्द्रीय सरकार की राय है कि इसमें उपबद्ध अनुसूची में विनियिष्ट विषय के बारे में सिडीकेट बैंक के प्रबंधनवाले सबद्ध एक श्रीरामगिरि विवाद नियोजितों और उनके कर्मकारों के बीच विवाद मान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वादमीय समझती है;

प्रतः केन्द्रीय सरकार, श्रीरामगिरि विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के अड (घ) द्वारा प्रदत्त अनियतों का प्रयोग करते हुए, एक श्रीरामगिरि अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० मुन्द्रसनम डेनियल होगी, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण का न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या सिडीकेट बैंक के श्री पी० पो० मिवरमन नैयर को जो बैंक की छागनवेरी शास्त्रा में नियमित के रूप में कार्य कर रहा था, सेवान्वयन करने की कायदाही न्यायोनित है? यदि नहीं, तो वह किस अनुसूची का हकदार है।

[स० एन० 12012 / 389 / 81-डी०-II (८)]

ORDER

New Delhi, the 1st May, 1982

S.O. 2183.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Syndicate Bank and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sundarsanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the Syndicate Bank in discharging Shri P. Sivaraman Nair, who was working as a Clerk in the Changanacherry Branch of the Bank is justified? If not, what relief he is entitled to?”

[No. L-12012/389/81-D II (A)]

आवेदा

नई दिल्ली, 10 मई, 1982

का० आ० 2184.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध प्रत्यक्षी में विनिर्दिष्ट विषय के बारे में इलाहाबाद बैंक के प्रबन्धक से सम्बद्ध एक ग्रीष्मोंगिक विवाद नियोजित हो और उनके कर्मकारों के बीच विवादान है।

ग्रीष्म केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहीनीय भवितव्यी है,

प्रत. केन्द्रीय सरकार, ग्रीष्मोंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (ध) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक ग्रीष्मोंगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जे० एम० महाप्रकाश होंगे, जिनका मुख्यालय भूवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण की न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

यह इलाहाबाद बैंक राउरकेला के कर्मकारों की जिनका प्रतिनिधित्व आल उड़ीसा इलाहाबाद बैंक एम्प्लाइज यूनियन द्वारा किया गया है, मांग कि—

- (1) राउरकेला में बैंक के कर्मचारियों द्वारा आवास को किसाए पर लेने के लिए प्रतिवाद जारी रखा जाए;
- (2) उसकी संवाद की दरें गैर-प्रबासस्थ कर्मचारियों के लिए 150 रुपये प्रति मास से बढ़ा का 300/- रुपये प्रतिमास रापा ग्राहीनस्थ कर्मचारियों के लिए 100/- रुपये प्रतिमास से बढ़ाकर 200 रुपये प्रतिमास कर दी जाए;
- (3) किराये के लिए कोई राशि न काटी जाए; न्यायोचित है? यदि हाँ, तो किस सीमा तक और सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं।

[सं० एल-12011/38/80-डी० 2(ए)]

ORDER

New Delhi, the 10th May, 1982

S.O. 2184.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Allahabad Bank and their workmen in respect of the matter specified in the Schedule here-to annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mohapatra shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the demands of the workmen of Allahabad Bank Rourkela represented by All Orissa Allahabad Bank Employees’ Union for :—

- (i) Continuance of the compensation for hiring accommodation by the employees of the Bank at Rourkela;
- (ii) Enhancing its rates of payments from Rs. 150 P. M. to Rs. 300 P. M. for non-subordinate staff and from Rs. 100 P. M. to Rs. 200 P. M. for subordinate staff; and
- (iii) Not deducting any amount towards rental charges are justified? If so, what extent and what relief are the workmen concerned entitled?”.

[No. L-12011/38/80/D.II (A)]

आवेदा

नई दिल्ली, 22 मई, 1982

का० आ० 2185.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध प्रत्यक्षी में विनिर्दिष्ट विषय के बारे में पंजाब नेशनल बैंक के प्रबन्ध तंत्र से सम्बद्ध एक ग्रीष्मोंगिक विवाद नियोजित हो और उनके कर्मकारों के बीच विवादान है;

ग्रीष्म केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना चाहीनीय समस्ती है;

प्रत. केन्द्रीय सरकार, ग्रीष्मोंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (ध) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक ग्रीष्मोंगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जे० एम० महाप्रकाश होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण की न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

ग्राम इंडिया पंजाब नेशनल बैंक एम्प्लाइज एसोसिएशन की बैंक की सेवा में जुनागढ़ शास्त्री के भूतपूर्व अपराधी, श्री जे० के० बोरिसानिया को स्थायी रूप से बैंक की सेवा में करने की मानेलित करने की मांग स्थायोचित है? यदि नहीं, तो कर्मकार किस अनुरोध का हकदार है? और किस तारीख से?

[फाइल सं० एल-12012 / 225 / 81-डी० II (ए)]

ORDER

New Delhi, the 22nd April, 1982

S.O. 2185.—Whereas the Central Government of opinion that an industrial dispute exists between the employers in relation to the management of Punjab National Bank and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constituted an Industrial Tribunal of which Shri G. S. Barot, shall be the Presiding Officer, with headquarters at Ahmedabad, and refers the said dispute for adjudication in the said Tribunal.

SCIEJEDULE

“Whether the demand of All India Punjab National Bank Employees Association, for permanent absorption of Shri J. K. Borisania, Ex-Peon, Junagarh Branch in the service of the Bank is Justified? If not, to what relief and from what date the workman is entitled to?”.

[No. L 12012/225/81-D.II (A)]

N. K. VERMA, Desk Officer

New Delhi, the 26th May, 1982

S.O. 2186.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on the 25th May, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 BOMBAY

Reference No. CGIT-8 of 1975

PARTIES :

Employers in relation to the Punjab National Bank

AND
Their Workmen

APPEARANCES :

For the Employers—Mr. V. V. Pai, Advocate.

For the Workmen—Mr. M. S. Udeshi, Advocate.

INDUSTRY : Banking.

STATE : Maharashtra.

Bombay, the 30th day of April, 1982

AWARD

The Government of India, Ministry of Labour, by order No. 23/9/69/IR/III dated 26th February, 1975, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the Punjab National Bank and their workmen in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the action of the Punjab National Bank in terminating the services of Sri Milkhi Ram Jamwal Chowkidar-Cum-Peon at Branch Office at Chembur, Bombay, with effect from 19th July 1968 is justified and if not to what relief is the workman entitled?"

2. The facts leading to this Reference are briefly these. The workman in this Reference, Milkhi Ram Jamwal, was first appointed at the Foreign Exchange Department of the Punjab National Bank (hereinafter referred to as the "Bank") sometime in 1958-59. Thereafter, he was appointed at Bank Ila'o House, Bombay Branch as Peon-cum-Chowkidar and continued upto the end of 1960 in temporary capacity with short intermittent breaks. On 14-12-1960 he was appointed as a probationer Peon-cum-Chowkidar at the Bank's office at Chembur (vide Ex. E-1, the letter of appointment). Before his appointment the workman had submitted an application dated 10th December, 1960 (vide Ex. E-2) to the Bank for appointing him as a Peon-cum-Chowkidar. At the time of his appointment he was asked to produce satisfactory proof of his educational qualification. The case of the bank is that accordingly he produced a certificate purporting to be one issued by the Headmaster of the Himachal Pradesh Government High School, Sandhole. According to the Bank, a true copy of the original certificate was prepared by the Accountant of the Bank, Mr. Kini, on 23-1-1961. The certificate produced by the workman, inter alia stated that he was reading in the ninth class high Department. The date of issue of the certificate was 21-12-1957. In October 1964 the Asstt. General Manager's office received an anonymous complaint that the workman had produced a fake educational certificate while securing employment in the Bank, and the Branch Manager was advised to investigate into the matter. The Branch Manager, Chembur upon instructions from the Asstt. General Manager, addressed a registered letter dated 20-1-1965 to the Headmaster, Mimachal Pradesh Government High School Sandhole, enclosing a copy of the School leaving Certificate prepared out of the true copy of the certificate held in the Bank in the service file of the workman, requesting the Headmaster to verify the contents of the certificate from the School record and certify its genuiness. In the meanwhile, the Head Office of the Bank also received a similar anonymous complaint and they directed the Asstt. General Manager, Bombay, to submit his report in the matter. After several reminders the verification report was received at the Bank's Chembur Office on 8th September, 1967. According to the case of the Bank, the Headmaster stated there :—

"After complete verification of the school record, I have come to the conclusion that Shri Milkhi Ram whose particulars were sent to this office by your office was not the student of Ninth Class of this school."

He further added :—

"that the school on 15-7-2004 was Lower Middle when Shri Ram Chand was the Headmaster of this school".

The Headmaster described the certificate sent to him as 'fictitious' and returned the copy of the certificate supplied to him with the word 'fictitious' on it.

3. On 26th December, 1967, the workman was given a copy of the said letter received from the Headmaster and was asked to explain in writing the following :—

- (i) about genuineness of the school leaving certificate.
- (ii) his remarks on the letter received from the Headmaster of the school, declaring the school leaving certificate produced by him as fictitious.

The workman gave his explanation on 21-2-1968 (vide Ex. E-15/2) in Hindi in his own hand-writing. The case of the Bank is that he stated in the explanation that he has studied upto IVth Standard and that the workman admitted that he had produced a fake educational certificate to secure employment in the Bank. He prayed for being pardoned. The Bank, therefore, decided that the workman was not fit to retain in the services of the Bank. The Asstt. General Manager, Bombay, thereafter passed orders, dated 15-7-1968, terminating the services of the workman (vide Ex. E-19), in accordance with the provisions in para 522 of the Sastry Award, which was binding on the workman. It was further ordered that in lieu of three months' notice of termination the workman was to be paid three months' pay and allowances. The services of the workman were terminated on 19th July, 1968.

4. The appeal preferred by the General Secretary of the All India Punjab National Bank Employees' association on 25-7-1968 to the General Manager of the Bank stating therein, inter alia that the punishment of termination was too severe, and also the appeal filed by the workman personally to the General Manager of the Bank were rejected. The dispute was raised before the Conciliation Officer, who made a failure report to the Government. The Government, on 13-3-1969, came to the conclusion that the dispute was not fit for reference to the Industrial Tribunal for adjudication (vide Ex. E-23). The Government, however, in a fresh application by the Union on behalf of the workman decided on 26th February, 1975, to refer the matter for adjudication. The Reference was accordingly made to this Tribunal as stated above.

5. The parties have filed the statement of claim and written statement and rejoinders thereto which run into several pages. I shall refer to the averments in the pleadings of the parties which have a bearing on the points that were canvassed, before me. The statement of claims has been filed on behalf of the workman by the General Secretary of the Punjab National Bank Workers' Organisation. It is stated that in December 1960 the workman was appointed on permanent basis at Bank's Chembur office. In 1964 some enemy without disclosing his identity complained to the Asstt. General Manager, Bombay, that the workman had given "ungenuine School Certificate". The Asstt. General Manager did not consider this matter regarding educational qualification as an offence worth taking action against the workman and closed the matter without taking any action, and he informed the Head Office accordingly. It is further stated that in 1967 June an all India strike took place in the Bank. It ended in failure by the end of 1967. The Bank took revengeful and retaliatory action against certain workmen. The present workman was one of the victims of such retaliatory action. A memo dated 26-12-1967 alleging that he had submitted an unguenuine School Leaving Certificate was given to him and he was asked to explain. This communication was in English. The workman did not know English. The workman took the help of some employees to submit his explanation and denied the fact of giving the alleged certificate. The workman was assured that very light punishment, if any, may be awarded to him. An enquiry was never conducted and the Asstt. General Manager vide his letter dated 15-7-1968 informed the workman that it had been decided to terminate his services from the Bank with immediate effect, under para 522(1) of the Sastry Award as adopted by the Desai Award. The workman made an appeal to the General Manager. However, this appeal was rejected without giving any personal hearing. It was submitted in the statement of claim that the order of termination of the workman was illegal, mala fide, unjust and not in accordance with the law. It is alleged that the punishment of dismissal is masked at the simple discharge. This was a colorable exercise of arbitrary power. Even this discharge is not in accordance with the law and practice as the conditions precedent have not been observed. No principles of natural justice were

observed and no proper opportunity was given to the workman for his defence. No enquiry was held. The alleged school certificate was never shown to the workman. The act of termination of the services of the workman constitutes an unfair labour practice. The order of termination of the workman was bad in law as the conditions of payment of all wages, notice pay, provident fund, and gratuity have not been satisfied at the time of termination. The termination of the services of the workman amounted to retrenchment and the provisions of Section 23-F of the Industrial Disputes Act, 1947, were not complied with. It was also stated in the statement of claim that a number of persons in subordinate category have been appointed with qualifications lesser than that of the present workman and they are made permanent. There is no hard and fast Rule as to qualification for Peon and even for Clerk and Cashier. The order of termination was made on account of the alleged misconduct of the workman in respect of the alleged school certificate. The procedure of enquiry in respect of the alleged misconduct has not been gone through, and therefore the order of termination is illegal and bad in law. The punishment meted out to the workman is shockingly disproportionate and was the result of victimisation after the all India strike was over. On these grounds, it was prayed that the order of termination passed against the workman be set aside and the relief of reinstatement with full back wages and all consequential benefits be given to the workman.

6. The employer-Bank in its written statement dated 21-4-1975 pointed out that the Government by its letter dated 13th March, 1969, refused to refer the matter for adjudication to an Industrial Tribunal. It is only after a lapse of six years that the Government has decided to refer this matter for adjudication before this Tribunal without giving any reasons. The Bank contended that it has laid down rules for recruitment of staff in various categories including Peons, in its Staff Department Circular No. 242 dated 6th March, 1957. It was laid down in the said circular, inter alia, that the educational qualification of Peons should be at least Middle pass. While joining the services of the Bank, the workman produced a School Leaving Certificate purported to have been issued by the Headmaster, Himachal Pradesh Government High School, Sandhole on 21-12-1957 certifying, inter alia, that the workman was reading in the ninth class high Department. The workman also made a declaration on 29-7-1963 that he had passed Middle examination from the Government High School, Sandhole. An anonymous complaint was received in October, 1964, that the workman had produced a fake educational certificate while securing employment in the Bank. Asstt. General Manager then vide his letter dated 20-1-1965 addressed a registered letter to the Headmaster, Himachal Pradesh Govt. High School, Sandhole, enclosing a copy of the School Leaving Certificate taken out of the certified copy held in the Bank requesting him to verify certificate from the School record and certify its genuineness. Several reminders were issued thereafter, but no reply was forth coming from the Headmaster. In the meanwhile, the Head Office of the Bank also received a similar anonymous complaint. They directed the Asstt. General Manager, Bombay, to submit his report in the matter. After several reminders to the Headmaster of the said School, a verification report which was undated was received at Bank's Chembur Office on 8th September, 1967, and was in the following words :—

"I have the honour to inform you that after complete verification of the school record, I have come to the conclusion that Shri Milkhi Ram whose particulars were sent to this office by your office was not the student of Ninth class of this school. It is further added that the school on 15.7.2004 was Lower Middle when Shri Ram Chand was the Headmaster of this school".

The Headmaster informed that the certificate produced by the workman to the Bank was fictitious. He therefore returned the copy of the certificate sent to him with the word 'fictitious' written on it. On 26th December, 1967, the workman was given a copy of the letter received from the Headmaster and was asked to submit his explanation. He gave his explanation on 21-2-1968. He stated that on account of poverty in the family he gave up his studies at the school after reading IVth Standard. When he came to Bombay to a relative of his he was told that he could secure a job of a Peon in the Bank provided he gave a certificate of having passed VII Standard. He then contacted a teacher of the School in the village

and the School teacher then told him that for the job of Peon not much qualification was needed and that the certificate which he then gave would enable him to get a job. On the basis of that certificate he secured a temporary job of Peon in May 1958 in the Foreign Exchange Department of the Bank for a period of three months. Thereafter, he got a permanent job at the Chembur Branch of the Bank. The Bank further pointed out in its written statement that the workman asked for forgiveness of his conduct stating that he was the only earning member in the family. It was pointed out that the workman further added in his explanation that due to compelling circumstances he had to go in search of a job and with the help of the certificate given by his teacher, he got the job without knowing the consequences of the same.

7. The Bank further pointed out in its written statement that the workman having admitted in his explanation that he had produced fake educational certificate to secure employment in the Bank, it was decided that he was not a fit person to be retained in the services of the Bank. The Asstt. General Manager, Bombay, thereafter passed orders on 15-7-1968 terminating the services of the workman in accordance with the procedure laid down in clause 522 of the Sastry Award, which was binding on the workman. His services were terminated on 19th July, 1968, and a cash order for Rs. 817.20 being the amount equivalent to his three month pay and allowances was also issued in his favour. It was further pointed out in the written statement that the General Secretary of the All India Punjab National Bank Employees' Association, Delhi, the parent organisation of the Association sponsoring the present industrial dispute appealed on 25-7-1968 to the General Manager of the Bank, stating therein that the punishment of the termination was too severe for the only fault of having given a false educational certificate for employment and prayed for his reinstatement, after giving him some lighter punishment. The Bank pleaded that the termination of the services of the workman was a case of discharge simplicitor, in accordance with the Standing Orders applicable to the workman. On these pleas the Bank submitted that the workman was not entitled to any relief.

8. In its rejoinder the Union (Punjab National Bank Workers' Organisation) pleaded that even though the Head Office of the Bank formulated some rules for recruitment of the staff, the same have never been followed. The appointments are made without following the rules of minimum qualifications. Reliance was placed in this behalf upon a copy of a letter of the Bank dated 17-9-1963 addressed to the Asstt. General Manager, Appollo Street, Bombay. It was denied that the workman gave any certificate of any Headmaster showing that he was reading in IX Standard. It was denied that the workman had given any declaration to the Manager of Chembur Branch saying that he had passed Middle examination from the Himachal Pradesh Government High School. It was stated in this rejoinder that the explanation dated 21-2-1967 given by the workman was not properly interpreted and wrong inferences were drawn therefrom. It was denied that the termination of the services of the workman was a case of discharge simplicitor.

9. In the sur-rejoinder filed on behalf of the Bank it was reiterated that the action of the Government in making the Reference to this Tribunal after nearly six years was unreasonable and unjustified.

10. By its application dated 30th September, 1977, the Bank sought an amendment to its written statement by adding a para after para 14 of the written statement. The amendment sought is as follows :—

"In the alternative, on the footing that the "termination" was in reality a dismissal order for acts of misconduct, the employer Bank may be permitted to treat its action as one of dismissal without an enquiry being held and in which event the Employer Bank may be further permitted to prove the alleged acts of gross misconduct before this Hon'ble Tribunal by adducing necessary evidence and arguments".

The application for amendment was opposed on behalf of the workman. The Tribunal by its order dated 5th December, 1977, allowed the aforesaid amendment.

11. In view of the contentions raised before me, the points that arise for my considerations are (i) whether the order of termination which is described as discharge simplicitor by the Bank is valid and legal, (ii) if not, whether the Bank has proved by adducing evidence before this Tribunal that

the workman has committed an act of misconduct attributed to him, (iii) if yes, what should be the punishment to be meted out to the workman and (iv) what relief, if any, should be given to the workman, in case, the order of termination is found to be bad in law and unjustified.

12. It is contented for the workman that the foundation of the order of termination of the services of the workman is the misconduct attributed to him by the Bank. No enquiry was held before the order of termination was made. The order of termination is, therefore, punitive in nature. It is submitted that it is not a case of discharge simplicitor, but it is a case of dismissal without enquiry. It is, therefore, urged that this order is invalid and illegal and it should be set aside.

13. Para 522 of the Sastry Award finds place in Section IV which deals with procedure for termination of employment of the services of the employees of the Banks covered by that Award. Now, para 522(1) of the Sastry Award is in the following terms :—

"In cases not involving disciplinary action for misconduct and subject to clause (6) below, the employment of a permanent employee may be terminated by three months' notice or on payment of three months' pay and allowances in lieu of notice. The services of a probationer may be terminated by one month's notice or on payment of a month's pay and allowances in lieu of notice".

Clause (6) deals with the procedure to be followed in connection with that conclusion, case, of contemplated closing down or of retrenchment of more than five employees. We are not concerned with sub-para (6).

13. It is clear that para 522(1) under which the services of the workman in this case are sought to be terminated deals with cases not involving disciplinary action or misconduct.

14. Now, in the case of Gujarat Steel Tubes Ltd. v. Its Mazdoor Sabha (1980 I.L.C. 1004) the Supreme Court has observed :—

"The form of the order of termination or the language in which it is couched is not conclusive. The court will lift the veil to see the true nature of the order. If two factors co-exist, an inference of punishment is reasonable though not inevitable. If the severance of service is effected, the first condition is fulfilled and if the foundation or cause causans of such severance is the servant's misconduct the second is fulfilled. If the basis or foundation for the order of termination is clearly not turpitudinous or stigmatic or rooted in misconduct or visited with evil pecuniary effects, then the inference of dismissal stands negated and vice-versa. The Court will find out from other proceedings or documents connected with the formal order of termination what the true ground for the termination is. A termination effected because the master is satisfied of the misconduct and of the consequent desirability of terminating the services of the delinquent servant is a dismissal, even if he had the right in law to terminate with an innocent order under the Standing Order or otherwise. Whether, in such a case the grounds are recorded in a different proceeding from the formal order does not detract from its nature. Nor the fact that, after being satisfied of the guilt, the master abandons the enquiry and proceeds to terminate. Given an alleged misconduct and a live nexus between it and the termination of service the conclusion is dismissal, even if full benefits as on simple termination, are given and non-injurious terminology is used".

15. Now, we have at Ex. E-17, the order of termination of the services of the workman. The order is dated July 15, 1968, and is in the following words :—

"This has reference to his explanation letter dated 21-2-1968 addressed to the Officer Incharge, P. O. Chembur. It has been decided to terminate his services from the Bank with immediate effect, under para 522(1) of the Sastry Award as adopted by the Desai Award. He will be paid three months'

pay and allowances in lieu of notice in terms of the said para of the Sastry Award".

This order itself shows that the foundation of the order of termination lies in the alleged misconduct of the workman. As observed by the Supreme Court in the case of Gujarat Steel Tubes Ltd. v. Its Mazdoor Sabha (supra), a termination effected because the master is satisfied of the misconduct and of the consequent desirability of terminating the service of the delinquent servant is a dismissal, even if he had the right in law to terminate with an innocent order under the Standing Order or otherwise.

16. It is, therefore, clear that the order of termination is punitive in nature and amounts to a dismissal without enquiry. It is, therefore, bad and illegal. This position is not now disputed on behalf of the Bank. In fact, realising this hurdle in its way the Bank has filed an application for permitting it to adduce evidence of misconduct before this Tribunal.

17. Mr. Udeshi, the learned counsel for the workman, strenuously submitted the order of termination in this case amounts to retrenchment within the meaning of Section 2(oo) of the Industrial Disputes Act, 1947. Now, Section 2(oo) defines 'retrenchment' as meaning the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action. The Section enumerates the cases which are exempted from the definition. The case of the present workman does not fall in any of the exempted categories.

18. Now, in the case of Santosh Gupta v. State Bank of Patiala (1980 I.L.C. 687) the Supreme Court has observed :—

"The expression 'termination of service for any reason whatsoever' in Section 2(oo) covers every kind of termination of service except those not expressly provided for by other provisions of the Act such as 25F and 25FFF".

This was a case where the workman was discharged on the grounds that she did not pass the test which would have enabled hereto be confirmed. It was held that this was 'retrenchment' within the meaning of Section 2(oo) and, therefore, the requirements of Section 25F had to be complied with. In this case a reference has been made to the other decisions of the Supreme Court dealing with the connotation of the expression 'retrenchment'. Now, in the instant case no mandatory requirements of Section 25F have been admittedly complied with. The termination of the services of the workman in this case is, therefore, invalid and inoperative on this ground also.

19. Realising the infirmities from which the order of termination is rendered invalid, the Bank sought an amendment in its pleadings, and sought permission to treat its action of termination of the services of the workman as one of dismissal without any enquiry being held, and sought further permission to prove the act of an alleged gross misconduct before this Tribunal by adducing necessary evidence. That permission was granted. When this permission was sought reliance was placed on behalf of the Bank on the decision of the Supreme Court in the workmen of M/s. Firestone Tyre & Rubber Co. of India (Pvt.) Ltd. v. The Management & others (1973 I.L.L.J.) p. 278). It was held in that case that the employer is entitled to adduce evidence for the first time before the Tribunal even if he had held no enquiry or the enquiry held by him is found to be defective.

20. The question, therefore, that arises in this case is whether on the evidence adduced by the Bank, the misconduct attributed to the workman stands proved. The misconduct attributed to the workman is that he produced a fictitious certificate about his educational qualifications at the time of his appointment in the Bank in December, 1960. He produced the School Leaving Certificate purported to have been issued by the Headmaster of the Himachal Pradesh Government High School, Sandhole on 21st December, 1957 certifying, inter alia that the workman was reading in the Ninth class. It is the case of the Bank that according to their Circular No. 242 dated 6th March, 1957, the educational qualification for a Peon was Middle pass. By middle they mean VIII standard. The charge against the workman is that he has not passed VIII Standard and produced a

fictitious certificate showing that he had passed VIII Standard. The workman in his rejoinder in reply to the written statement of the Bank stated that he had not given a certificate, but a letter from the local teacher who had coached him. He says that he had not given a School Leaving Certificate purported to have been issued by the Headmaster of the Himachal Pradesh Government High School.

21. The case made out by the workman in his deposition before this Tribunal is that in May 1958 he joined the Bank as a Peon. The appointment was for a temporary period of three months. He was attached to Foreign Exchange Department of the Bank. In para 9 of his deposition he says that he had produced the certificate of the teacher before Mr. Mathuria, who was the Manager of the Foreign Exchange Department. The case of the workman, therefore, is that he had produced a letter of his teacher before Mr. Mathuria, the Manager of the Foreign Exchange Department, in May 1958, and that he had not produced any certificate. In addition to the documentary evidence produced by the parties the oral evidence adduced on behalf of the Bank consists of three witnesses. Exhibit E-1 is Mr. Shantaram Kini, who was the Officer in the Chembur Branch of the Bank from December 1960 to January 1970. Exhibit F-2 is Mr. Shyam Lal Mehta, who was serving as the Asstt. General Manager of the Bank at Bombay from April 1966 to October 1971. Exhibit E-3 is one Prabhakar Nerulkar. At the relevant time he was working in the Chembur Branch of the Bank and his position was next to the Manager. The workman examined himself at Exhibit W-1. He examined Sipal Jadbav at Exhibit W-2, who had joined the Bank in 1964 as a Chowkidar. He was examined to show that there were some persons who were employed between 1961 and 1963 as Chowkidars and they were not educated. Now, the original certificate of the Headmaster of the Himachal Pradesh Government High School, Sandhole is not on record. We have a document purporting to be a true copy of that certificate. In the deposition of Exhibit E-1, Mr. Kini, it is marked as K-1 for identification. The case of the Bank is that the original certificate was returned to the workman. Mr. Kini made a true copy from that original certificate on 23rd January, 1961 and that was retained in the office of the Bank. Mr. Pai for the Bank submits that this document marked as X-1 be now exhibited as he has adduced satisfactory evidence to show that document X-1 was prepared by Mr. Kini from the original certificate which was returned to the workman. Mr. Pai referred to certain circumstances disclosed from the document and oral evidence in support of his submission that document X-1 be exhibited. I shall deal with the question of exhibiting the document a little later.

22. Having gone through the oral and documentary evidence on record I am inclined to hold that the workman had given a certificate as per document X-1 to Mr. Kini at or about the time of joining the service in the Bank at Chembur Branch in December 1960. Now, there is no dispute and it is the case of the workman that he had studied upto IVth Standard only. His case is that he produced the letter of the teacher regarding his educational qualification in May 1958 before Shri Mathuria when he was temporarily appointed in the Foreign Exchange Department of the Bank. The case of the Bank is that he produced the School Leaving Certificate, inter alia showing the educational qualifications, at or about the time he was taken up in service in the Chembur Branch of the Bank in December 1960. Document X-1 bears the date of December 1957. On closer scrutiny of the evidence on record, I am inclined to think that both these cases may be true. The workman must have produced a letter or a certificate before Mr. Mathuria in May 1958 as he says, and he must have also been required to produce a certificate showing his educational qualifications at the time when he was taken up in service in Chembur Branch as a probationary Peon-cum-Chowkidar rather than permanent basis in December 1960. The material question is whether he produced a false and fictitious certificate before the Officers of the Bank at Chembur Branch at or about the time when he was appointed there stating that he has passed VIIIth Standard when in fact he had studied upto IVth Standard. The case of the workman as stated in his deposition is that he had received a letter from one of his relatives by name Bhagat Ram, working in the Punjab National Bank (see para 21 of his deposition) stating that there should be the educational qualification of VIIth Standard for securing service in the Bank.

One Mohan Lal was his teacher. He went to Mohan Lal and told him that he had received a letter stating that there should be the educational qualification of VIIth Standard. The workman says:—

When I went to Mohan Lal I told him that I have received a letter stating that there should be the educational qualification of VIIth Standard. If I had it well and good, otherwise I was told to go to the teacher and get whatever he would write. I went to Mohan Lal and I told that I have studied upto IVth Standard. I required the certificate as I was to go to Bombay for getting service. Mohan Lal knew that I have studied upto IVth Standard. He gave me certificate. I took it".

The letter written by Bhagat Ram is not on record. Bhagat Ram also is not examined as according to the workman he died two to three years back. The workman admits in para 21 of his cross-examination that Bhagat Ram had written to him that for getting service in the Punjab National Bank, passing VIIth Standard was required. Now, the workman in his deposition does not say that letter or certificate given by his teacher Mohan Lal stated that he had studied upto IVth Standard only. The deposition of the workman shows that he must not have read that letter. It is, therefore, difficult to believe that he must have produced a certificate or a letter before Mr. Mathuria or before the Officer of the Chembur Branch of the Bank stating that he had studied upto IVth Standard only.

23. Exhibit E-1 is the memorandum issued by the Officer-in-Charge of the Chembur Branch on 14th December, 1960 informing the workman that he was appointed as a probationary Peon-cum-Chowkidar. That memorandum requires the workman to produce satisfactory proof of his educational qualifications and age. According to the Bank, he produced the certificate accordingly of which document X-1 is a true copy. It is reasonable to presume that the workman must have been asked to produce the certificate regarding his educational qualifications when he was taken up as a probationary Peon-Chowkidar in December 1960. The copy of certificate bears the date 21-12-1957. Mr. Kini states in para 28 of his cross-examination that whenever a new peon is to be appointed in the Bank it is ascertained as to how far he is educated. This is done even for temporary workers. Workman was temporarily appointed as a Peon in or about May 1958. When he came in search of a job in the Bank, he must have obtained the certificate. He must have used the same certificate when he was appointed as a probationary Peon-cum-Chowkidar in December 1960. According to the workman, he obtained a letter from his teacher Mohan Lal, and according to the Bank he produced the certificate purporting to have been issued by the Headmaster of the Government High School, Sandhole. The workman, as I have pointed out above does not say that the letter which he had obtained from his teacher stated that he has studied upto IVth Standard only. When his relative Bhagat Ram informed him that the qualification necessary for securing a service in the Bank was the passing of VIIth Standard. It is reasonable to presume that the workman was interested in securing a certificate which stated that qualification. It is not likely his teacher Mohan Lal would give him a certificate stating that he had studied upto IVth Standard only, when the qualification for securing service in the Bank was the passing of VIIth Standard.

24. It appears that after the Bank received an anonymous complaint, they sent a copy of the document X-1 to the Headmaster, Himachal Pradesh Government High School, Sandhole, for verification. After a long time and after a number of reminders, according to the Bank, a letter was received from the Headmaster of the School stating that the certificate as per document X-1 was fictitious. The Bank placed on record a copy of the letter of the Headmaster. It is only at the time of arguments that the learned counsel for the Bank produced the original letter of the Headmaster. I have not exhibited the same as he produced it late. Exhibit E-13 is a memo issued by the manager, Chembur Branch to the workman, after the Bank received a letter from the Headmaster of the Himachal Pradesh Government High School, Sandhole. The memo is dated 26th December, 1967. That memo was accompanied by a copy of the letter received from the Headmaster of the High School. The text of the memo is as follows:—

"The School Leaving Certificate produced by you at the time of your appointment in the service of the

Bank was referred to the concerned School Authorities and they have termed it as fictitious as per copy of their letter enclosed.

You should, therefore, explain in writing

- (i) about genuineness of the school leaving certificate.
- (ii) Your remarks on the letter received from the Headmaster of the school, declaring the school leaving certificate produced by you as fictitious".

Your explanation in duplicate should reach the undersigned within a week's time from the date of this letter".

As the workman did not submit his explanation, a reminder was sent to him on 16th February, 1968. Finally, the workman sent his explanation on 21-2-1968. It is marked as Exhibit E-15. It is in Hindi and in the hand-writing of the workman. In this explanation, inter alia, it is stated as under :—

- (i) I request that the lapse on my part was the result of my ignorance and also on account of my domestic circumstances. I may please be excused.
- (ii) I left my village in search of a job to support my poor family. In the meantime, I came to know from a relative of mine, who was in Bombay at that time that there was a vacancy of peon in the Punjab National Bank and a certificate of VIIIth Standard pass was required for the same. I consulted my teacher. He advised me that there was no necessity of higher qualification for the service of a Peon. He told me that he would give me a certificate which would be helpful in securing a job.
- (iii) On the basis of that certificate I got the job in May 1958 in your Foreign Exchange Department as a temporary Peon for a period of three months. Again I got the job for a period of one year at your Ilace House Branch. Now, I am working as a Peon-cum-Chowkidar since 14th December, 1960 in this Branch.
- (iv) Everybody is pleased with my work and honesty. I was compelled in the circumstances to go in search of a job and with the help of the certificate given by my teacher I got the job. I did not know what would be the consequences of this. The only question before me at that time was how my domestic atmosphere and reputation will not be spoiled and how to support my parents, wife and children.
- (v) I humbly request that I may please be pardoned for this, I and my family will be highly obliged for your kindness".

25. This explanation dated 21-2-1968 given by the workman in his own hand-writing, about two months after the receipt of the memo dated 26th December, 1967 (Exhibit E-13) brings out the following facts :—

- (i) A relative of his from Bombay wrote to him that it was possible to secure the job of a Peon in the Punjab National Bank for which a certificate of VIIIth Standard pass was necessary.
- (ii) His teacher gave him a certificate. The workman does not state in his explanation what the teacher wrote about his educational qualification. He vaguely states that the teacher told him that higher qualification was not necessary.
- (iii) On account of adverse financial circumstances he was compelled to secure a job.

26. In fact, in this explanation he described the document given to him by the teacher as 'preman-patra', which ordinarily means a certificate. It is not likely that when he was in dire need of a service and when his relative of Bombay had written to him that the qualification necessary for the service of a Peon was VIIIth Standard pass he would

take a certificate showing lesser qualification therein. As I have pointed out, neither in his pleadings not in his deposition he says positively that the letter or certificate which he produced before Shri Mathuria in 1958 contained a statement that he had passed IVth Standard. I have already pointed out that assuming that he had produced a letter or a certificate before Shri Mathuria in 1958 while obtaining the temporary job of a Peon, he must have also been required to produce a certificate showing his educational qualification when he was to be appointed as a probationary Peon-cum-Chowkidar in the Chembur Branch of the Bank in December 1960. In fact, he was called upon to produce such a certificate by Bank's memorandum dated 14-12-1960 (Exhibit-E-1). He must, therefore, have produced a certificate of or about the must, therefore, have produced a certificate of or about the dar in December, 1960.

27. We have then at Exhibit E-19, a representation dated 25-7-1968 made by the General Secretary of the All India Punjab National Bank Employees' Association of which the workman was a member. In that representation what is stated is that the punishment of the termination of the services of the employee who has put in blotless more than 9 years service is too severe for the only fault of having given a false educational certificate for employment as Chowkidar-cum-Peon. It is further stated that the workman is a family man termination of his services will mean nothing, but ruining his other dependents who are not at fault at all. The representation ends with the following prayer :—

"We, therefore, request you to kindly look into the matter and reinstate him and give him some lighter punishment than termination of services as the Bank did in another similar case of Bombay where two increments were withheld."

It may be mentioned that in the representation submitted through the Union there is no representation that the workman had not issued a false certificate. There was prayer for leniency in the matter of punishment only.

28. He have been a copy of the plaint (Ex-E-24) filed on behalf of the workman in the Bombay City Civil Court. Para 3 of that plaint is in the following terms :—

"The Plaintiff states that when he joined in service with the said Bank at Chembur Branch there was no hard and fast procedure adopted by the said Bank so far as the eligibility is concerned for the Class IV recruitments. It was only held necessary that employee in the said Class post should have studied upto VIII standard (Middle Class). The Plaintiff states that he having studied with the local Teacher upto IXth Standard asked the Teacher in his individual capacity to certify that the Plaintiff had studied upto IXth Standard and the said letter was received from the Local Teacher and was submitted to the said Bank at the time of joining the services with the said Bank".

It appears that the workman's suit in the Bombay City Civil Court against the Bank for declaration that the order of termination of service passed against him was bad in law was dismissed on the preliminary point of Limitation. The Bank, however, relies on the averment in this plaint to show that the workman had asked for a certificate from his local teacher to the effect that he had studied upto IXth Standard and he had received that certificate from the teacher which he had submitted to the Bank at the time of joining the services with the said Bank. Para 3 of the plaint which is reproduced above opens with a recital that he had joined the service with the Bank at Chembur Branch. This recital shows that the workman had produced a certificate that he has passed IXth Standard at the time of his joining the service in the Chembur Branch of the Bank. It is submitted for the workman that this plaint must have been drafted by his Advocate rather carelessly or hurriedly without taking instructions from the workman. However, this document viz. the plaint filed in the Bombay City Civil Court does not stand alone. I have already referred to the other documents on record viz. the explanation of the workman and also the representation of his Union. Those documents do not state expressly that the workman had produced a letter or certificate showing that he had studied upto IVth Standard only.

29. Now, the evidence of Mr. Kini is to the effect that he prepared the document marked as X-1 for identification on the basis of the original (see para 16 of his cross-examination). He states that the original cannot be produced as it was given to the workman. The question is why Mr. Kini would tell a lie. The workman was employed at the Chembur Branch of the Bank when Mr. Kini was the Officer there. Mr. Kini stated in his cross-examination that he did not receive any complaint regarding the workman since the date of his appointment till his termination. He added that he did not give any cause of complaint during the period from 14-12-1962 to the date of his termination viz. 19-12-1967. According to Mr. Kini he was sincere and honest in his duties to all. It may appear from the correspondence (Exhibit E-7) that Mr. Kini had at one stage proposed to the Head Office of the Bank that enquiry proceedings against the workman in the matter of his allegedly produced the certificate be dropped. In view of these circumstances it is very difficult to hold that Mr. Kini will give false evidence the workman and specially when Mr. Kini is no longer in the service of the Bank. The workman stated in his statement of claim that there was an All India strike of the employees of the Bank in 1967 which ended in failure and that he was one of the five victims of the revengeful action taken by the Bank against certain workmen. The workman, however, admitted in his deposition that he had taken a part in this strike. It is, therefore, difficult to believe that the Officers of the Bank would be inclined to take some action against him on the basis of false evidence created by them.

30. The Bank did not produce the original letter sent by the Headmaster of the Himachal Pradesh Government High School, Sandhole, stating that the certificate produced by the workman was fictitious. The Bank sought to produce that original letter at the time of the arguments. A copy of that letter was supplied to the workman, when his explanation was called. I have not exhibited that original letter from the Headmaster as it was produced late. However, the admissions of the workman and other material on record satisfactorily in my view establish that the workman had studied only upto IVth Standard and that he had produced a certificate when he was appointed at the Chembur Branch of the Bank showing that he had passed VIIth Standard. Even in the absence of the original letter from the Headmaster of Sandhole High School stating that the certificate produced by the workman was fictitious, the admissions of the workman that he had studied upto IVth Standard only will show that the certificate was false. All these circumstances relied upon by the Bank to which I have adverted above satisfactorily establish that the workman produced a false certificate showing that he had studied upto IXth Standard at or about the time when he obtained the service in the Chembur Branch of the Bank. The Bank, thus in my view succeeded in establishing the misconduct attributed to the workman viz. he produced a false certificate in order to secure a job.

31. Now, the question is whether the document marked as X-1 should be exhibited and admitted in evidence. I am inclined to believe the version of Mr. Kini that the original document was returned to the workman and that he had prepared a true copy therefrom. There is a letter (Exhibit E-5) dated 28th January, 1965, by the Officer-in-Charge i.e. Mr. Kini of the Chembur Branch of the Bank addressed to the A.G. M's Office, Bombay. The text of the letter is as follows :—

"The subject has informed us that the original certificate of education is at his native place and on his writing to his relatives to send the original certificate they have replied that they have not been able to trace the document. It appears that they are unable to identify the certificate."

We have now written to the School authorities for confirmation".

This letter to a certain extent corroborates the version of the Bank that the original certificate must have been returned to the workman. It is true that under the provisions in his application dated 10th December, 1960 (Exhibit F-2) should have given a notice to the workman to produce the original certificate before it sought to tender in evidence the true copy therefrom. No such notice seems to have given to the workman. However, technical rules of procedure laid down

in the Indian Evidence Act are not applicable to the proceedings before the adjudicatory authorities under the Industrial Disputes Act. In the circumstances established from record I am inclined to hold that the true copy of the certificate marked as X-1 for identification should now be exhibited.

32. Even if this true copy is not exhibited and admitted in evidence there is sufficient material on record in the form of circumstances to which I have adverted above showing that the workman must have produced a certificate showing false educational qualifications at or about the time when he entered the service of the Bank in its Chembur Branch, in his application dated 10th December, 1960 (Exhibit E-2) for appointment in the vacancy of Peon the workman has stated that he had studied upto VIIIth Standard. This circumstances also fortifies the conclusion that he must have produced a certificate showing that he had passed VIIIth Standard.

33. Mr. Udeshi, the learned counsel for the Union, submitted that the original of X-1 is in the possession of the Bank. It appears from the record that the Union had sought inspection of certain documents from the Bank during the course of this Reference proceedings. It further appears that Mr. Pai, the Advocate for the Bank had then stated that the original certificate would be called from the Head Office of the Bank and would be given for inspection. This circumstance will not show conclusively that the original certificate must have been with the Bank. When Mr. Pai stated that he would call for the original document from the Head Office of the Bank. When Mr. Pai made that statement he may not have been properly instructed or he may not have taken full instructions from the Bank. Mr. Kini in para 16 of his cross-examination stated :—

"When asked to say on what basis I made the endorsement down below X-1 I say that this was on the basis of the original. The original cannot be produced because it is given to be workman. I volunteer it is never kept by the Bank. I did not obtain the acknowledgement of the workman when the original was given to him".

34. In the true copy of the certificate, X-1 there is a correction in the third line. That correction is in respect of the father's name of the workman. In para 18 of his cross-examination Mr. Kini was asked about the correction. He stated that correction is done by my Accountant. Accountant Mr. Nerulkar (Exhibit F-3) stated that he did not make that correction. His affidavit in that behalf is on record. He stated.

"I look at the corrections and I say that according to me they looked having been made by Mr. Kini, who was then Incharge of the Branch".

Now, I do not think that the discrepancy in their evidence is very material. The correction in the true copy (X-1) is in respect of the name of the father of the workman. It appears that correction may have been made to correct a typographical mistake. The discrepancy, therefore, pointed out does not in my view go to discredit the evidence of Mr. Kini as a whole.

35. It was then pointed out by Mr. Udeshi, the learned counsel for the workman that the true copy of the certificate was made on 23-1-1961. He further pointed out that the letter of appointment given to the workman called upon the workman to produce satisfactory proof of his educational qualification and age, etc. Mr. Udeshi submitted that this shows that the certificate must have been produced sometime after the appointment. Mr. Udeshi states that the case of the Bank as is seen from the pleadings is that the workman a false certificate at the time of his appointment in the Chembur Branch of the Bank. According to Mr. Udeshi, there is thus a discrepancy as to the point of time at which the certificate was allegedly produced by the workman. I do not find any force in this submission. When the Bank says that the workman produced the certificate at the time of his appointment in the Bank, the expression "at the time of appointment" should not be construed literally. At the time of appointment would mean "at or about the time of appointment".

36. In view of the foregoing discussion, it will have to be held that misconduct with the workman is charged stands proved. The next question is what should be the proper punishment for this misconduct. Mr. Pai, the learned counsel for the Bank, submits that the misconduct of which the workman is guilty is a gross misconduct within para 19.5 of the First Bipartite Settlement of 1966 and one of the punishments for such misconduct is dismissal. Para 19.5 enumerates the acts and omissions on the part of an employee which can be called "gross misconduct". Mr. Pai submits that the misconduct of the workman falls under Clause (j) of para 19.5. Clause (j) reads as under :—

"doing any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss".

According to Mr. Pai, if an employee makes a representation that he possesses certain qualifications which are necessary for being appointed to a particular post and if it turns out after appointment that the employee had made a false representation in that behalf that act on his part would be an act prejudicial to the interest of the Bank. As against this, Mr. Udeshi, the learned counsel for the workman, submits that it was the duty of the Bank to satisfy itself about the truth of the representations made or the certificate produced. After the Bank had chosen to appoint the workman and to keep him in service for a substantial period, it is not competent to the Bank to punish him if it is found that there was some misrepresentation about the qualification at the time of appointment. In this behalf Mr. Udeshi relies upon the decision of the Rajasthan High Court in the case of Rajeshwar Nath v. Union of India (1981 L.I.C. 696). Mr. Udeshi also submits that the conduct of the workman throughout after his appointment as desposed to by the witnesses examined for the Bank was blameless. His work was satisfactory. He, therefore, does not deserve any punishment, or at any rate the punishment of termination of his services.

37. Having regard to all the facts and circumstances of the case, I am inclined to hold that the punishment of termination of the services of the workman would be rather harsh and unjustified. As I pointed out above, Mr. Pai submits that the misconduct with which the workman is charged involves an act prejudicial to the interest of the Bank within Clause (j) of para 19.5 of the First Bipartite Settlement, 1966. Mr. Pai also submits that the acts and omissions enumerated in para 19.5 are not exhaustive. They are merely some instances of gross misconduct. Para 19.6 of the First Bipartite Settlement, 1966 speaks of punishments provided for gross misconduct. It is in the following terms :—

"An employee found guilty of gross misconduct may :
 (a) be dismissed without notice; or
 (b) be warned or censured, or have an adverse remark entered against him; or
 (c) be fined; or
 (d) have his increment stopped; or
 (e) have his misconduct condoned and be merely discharged".

It will appear from the above provisions that even if an employee is found guilty of gross misconduct he can be punished with some lesser punishment than the one of dismissal. Of course, that would depend upon the facts of each case. Mr. Pai for the Bank submits that if the alleged misconduct the dismissal is the only punishment that will meet the ends of justice. Mr. Pai relies upon the decision in the case of Ruston and Hornsby (1) Ltd. v. T.B. Kadam (1976 Vol. 3 SC 71) in support of his submission that the workman would deserve the punishment of dismissal if misconduct alleged against him is proved. That and other cases relied upon by Mr. Pai are the cases where the employee had misappropriated the money or had committed theft of the property of the employer. Now, in the instant case there is no allegation of misappropriation or theft of Banks property, the workman has studied at least upto IVth Standard. He can write in Hindi. He has given his explanation (Ex-F-15) in his own hand-writing. The workman has led evidence of a witness, Sipal Jadhav (Ex-W-2) who was working in the capacity of a Chowkidar in this Bank. He says that there were some other persons whose names he

has given in his deposition who were not educated and yet they are in the service of the Bank. Probably the witness refers to the cases of Chowkidars. The Union has then produced at Exhibit N-19, a copy of a letter written by the Manager of the Ilaco House of the Bank to the Asstt. General Manager, Bombay on 17-7-1963. The manager had written that letter in reply to the letter of the Asstt. General Manager dated 9-7-1963. That letter contained some information about temporary Godown Chowkidars. It shows that some of the incumbents mentioned in that letter did not possess any qualification as regards education. The Union has not shown that the educational qualification for the post of Peon-cum-Chowkidar was relaxed by the Bank. It is submitted for the Bank that the qualification was relaxed in the case of Chowkidar and not Peon-cum-Chowkidar. It would, however appear from the evidence of the witnesses examined by the Bank that the Officers under whom the workman worked had no complaint about his work. Mr. Kini has stated in para 22 of his cross-examination that the workman did not give any cause of complain during the period viz. 14-12-1962 to 19-12-1967. Mr. Nerulkar (Exhibit E-3) had stated in para 5 of his cross-examination that the work of the employee was satisfactory. This shows that even the workman had not passed VIIIth Standard his work was found to be satisfactory will, therefore, appear that no prejudice has been caused to the Bank. It then appears that the Bank did not take any steps for ascertaining the genuineness of the certificate produced by the workman. It appears from a letter addressed by the Secretary, of the Punjab National Bank to all its offices (Exhibit W-13) which, inter alia, states :—

"Some cases have now come to our notice where members of the subordinate staff have produced educational certificates from non-recognised schools. Incharges of office are, therefore, cautioned to satisfy themselves that certificates produced by the candidates for employment in the Bank are from regular and recognised schools and are genuine".

Without taking any steps for ascertaining the genuineness of the certificate produced by the workman the Bank allowed him to work for nearly four years before an anonymous complaint was received against the workman alleging that he had produced false educational certificate. Mr. Udeshi, the learned counsel for the Union, has relied upon the decision in the case of Rajeshwar Nath v. Union of India (1981 L.I.C. 696) where a single Judge of the Rajasthan High Court observed :—

"Where the employee who was appointed on the post of Class IV in Railway, was working continuously for more than one and a half decades, his retrenchment merely on the ground that his age was little more than the maximum eligible age for appointment at the time of his appointment was invalid. If the Railway had not been vigilant at the time of appointment, to ensure eligibility, it is not open to them to throw a railway employee out of employment in the casual manner after a period of 15 years".

To the same effect are the observations in the case of Shiv Dass Khajuria v. State of J. & K. (A.I.R. 1959 J&K 13). In that case also was some misrepresentation by the employee at the time of his appointment and he was discharged from service after about 2 years of his appointment. The order of discharge was held to be bad.

38. Having regard to all these circumstances, I am of the opinion that the workman does not deserve the punishment of dismissal. I was considering whether he should be punished by withholding two increments. It, however, appears that the workman would within a short time be reaching the maximum scale of his grade I have, therefore, to consider some other punishment. I think entering an adverse remark against the workman as contemplated in para 19.6 of the First Bipartite Settlement dated 19-10-1966 would be a sufficient punishment. I, therefore, direct that the workman should be punished with an adverse remark entered against him, in the relevant service records.

39. The next question is about the back wages. In view of the above findings, the workman will have to be reinstated in service with continuity of service. The normal rule on

reinstatement is full back wages. However, full back wages may be denied to the workman in exceptional cases. The Supreme Court has in the case of *Gujarat Steel Tubes Ltd. v. Its Mazdoor Sabha* (1980 L. I. C. 1004) observed in para 150 of the judgement :—

"Certainly, the normal rule, on reinstatement, is full back wages since the order of termination is non est. *Lad's case* (1979) I SCC 590, (AIR 1979 SC 582) and *Panitole Tea Estate's case* (1971) 3 SCR 774; (AIR 1979 SC 2171). Even so, the industrial court may well slice off a part if the workman are not wholly blameless or the strike is illegal and unjustified. To what extent wages for the long interregnum should be paid is, therefore, a variable dependant on a complex of circumstances".

Now, in the instant case the services of the workman are terminated from 19th July, 1968, under Order of the Bank (Ex. E-17) dated 15th July, 1968. In the industrial dispute raised on behalf of the workman, the Government by its letter dated 21st September, 1969, refused to refer this matter for adjudication. It is only thereafter on 26th February, 1975, that the Government decided to refer the matter for adjudication. The misconduct alleged against the workman has in my opinion been proved. The workman is thus not wholly blameless. It is found that he produced a false certificate at the time of his entry in the service of the Bank. If the Bank would have on proper enquiry detected the falsity in the certificate as regards educational qualifications within a short reasonable time the order of dismissal would perhaps have been justified. Condoning the blameworthy conduct of the workman, he is being reinstated. Having regard to all these circumstances, I think only 60% of the back wages should be paid to the workman. The workman will be entitled to proportionate monetary consequential benefits, such as contribution to Provident Fund, bonus or ex-gratia payment in lieu thereof, etc.

40. To sum up the matter, the order of termination passed by the Bank against the workman is found to be bad in law and therefore inoperative as the termination of the workman was for misconduct and no enquiry was held before terminating his services. The order of termination is bad and inoperative on the further ground that the termination amounted to retrenchment and no retrenchment compensation was paid. On the evidence led before the Tribunal the Bank has, however, proved the misconduct. In the facts and the circumstances of the case punishment of dismissal would, however, be too harsh and unjustified. The ends of justice would meet if the workman is punished by having an adverse remark entered against him in his relevant service records. The workman will be reinstated in service with continuity of service, but so far as the back wages are concerned he will be paid only 60% of the back wages, with proportionate consequential benefits.

41. My Award, therefore, is made accordingly. No order as to costs.

M. D. KAMBHI, Presiding Officer

[L-23/9/69-LR-III]

N. K. VERMA, Desk Officer

आवेदा

नहीं विल्नी, 26 मई, 1982

का० आ० 2187.—मैसर्ज भारत कोर्किंग कॉल लिमिटेड, डाकघर कुमुण्डा जिला धनबाद के कुमुण्डा क्षेत्र के प्रबंधनकार्ता सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व गढ़ीय कोलियरी मजदूर संघ, राजेंद्र पथ, धनबाद करती है, एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-की उपधारा (1) के उपबंधों के प्रस्तुत एक निवित करार द्वारा उक्त विवाद को उसमें विभिन्न विभिन्न के माध्यस्थम के लिए निर्देशित करने का करार कर दिया है और उक्त माध्यस्थम करार को एक प्रति केन्द्रीय सरकार को भेजी गई है,

प्रति, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-की उपधारा (3) के उपबंधों के प्रस्तुत एक

सरकार उक्त माध्यस्थम करार को, जो उसे 18 मई, 1982 को मिलाया, एतद्वारा प्रकाशित करती है।

(करार)

(प्रौद्योगिक विवाद अधिनियम, 1947 की धारा 10-की प्रधीन)

पक्षकारों के नामः

नियोजकों का प्रतिनिधित्व करने

वाले :

श्री एम० एन० मिश्हा; कार्मिक प्रबंधक, कुमुण्डा क्षेत्र, भारत कोर्किंग कॉल लिमिटेड, डाकघर : कुमुण्डा, जिला : धनबाद।

कर्मकारों का प्रतिनिधित्व करने

वाले :

श्री जी० डी० पांडे, सेकेटरी राष्ट्रीय कोलियरी मजदूर संघ, राजेंद्र पथ, धनबाद।

पक्षकारों के बीच निम्नलिखित प्रौद्योगिक विवाद को श्री जे० एन० मिम्पलाटे, उप मुख्य अमायक (केन्द्रीय), धनबाद के माध्यस्थम के लिए निर्देशित करने का काग दिया गया है।

(1) विनिर्विद्युत विवादग्रन्थ विषयः

क्या भारत कोर्किंग कॉल लिमिटेड, डाकघर धनबाद की धानमर कालियरी की भूतपूर्व जेल पिक्कर श्रीमती पोको मुदाई को पुनः नीकी पर लगाने की राष्ट्रीय कोलियरी मजदूर संघ की मांग व्यायोक्तित है? यदि हाँ, तो वह किस प्रनुतांष की दृक्षादार है?

(2) विवाद के पक्षकारों का विवर- कुमुण्डा क्षेत्र, भारत कोर्किंग कॉल लिमिटेड, रण, जिसमें अन्तर्भूत स्था- डाकघर : कुमुण्डा, जिला : धनबाद के पन या उपकरण का नाम और प्रबन्धतान्त्र से सम्बद्ध नियोजक। पता भी सम्भिलित है

(3) यदि कोई संघ प्रश्नकर्ता कर्म- राष्ट्रीय कोलियरी मजदूर संघ, राजेंद्र पथ, कारों का प्रतिनिधित्व करता धनबाद। है तो उसका नाम

(4) प्रभावित उपकरण में नियो- 1400 जित कर्मकारों की कुल संख्या

(5) विवाद द्वारा प्रभावित या एक संभाव्यतः प्रभावित होने वाले कर्मकारों की प्राकृति- लित संख्या।

हम यह क्षण भी करते हैं कि मध्यस्थ का विनिश्चय हम पर आवश्यक होगा।

मध्यस्थ अपना पंचाट सरकारी राजपत्र में माध्यस्थम करार के प्रकाशित होने की तारीख से छः मास की अवधि या इन्हें और समय के भीतर जो हमारे बीच पारस्परिक निवित करार द्वारा बदला जाय, वेग। यदि पूर्व विभिन्न कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थम के लिए निवेश स्वतः रद्द हो जायेगा और हम नए माध्यस्थम के लिए बातचीत करने को स्वतंत्र होंगे।

पक्षकारों के हस्ताक्षरः

ह०/- एम० एन० मिश्हा, ह०/- जी० डी० पांडे, कार्मिक प्रबंधक, कुमुण्डा क्षेत्र, भारत कोर्किंग कॉल लिमिटेड, डाकघर : राष्ट्रीय कोलियरी मजदूर संघ, राजेंद्र पथ, धनबाद। साक्षीः

1. ह०/-
2. ह०/-

मैसर्स भारत कोकिंग कोल लिमिटेड, डाकघर—कुमुण्डा, जिला—
धनबाद के कुमुण्डा क्षेत्र के प्रबंधनकारी से सम्बद्ध नियोजकों

श्री

श्रीमती पोको मुदाई को इयटी करने से रोकने के बारे में राष्ट्रीय
कोलियरी मजदूर संघ (एटक) गजेंद्र पथ, धनबाद
के श्री

श्रीशोधिक विवाद के मामले में

मैं उपर्युक्त विवाद में श्रीशोधिक विवाद अधिनियम, 1947 की धारा
10 (क) के प्रबंधन मध्यस्थ के रूप में कार्य करने के लिए भहमत हूँ।

हस्तृ

(जे० सिम्लोट)

उप मुख्य अमायूल (केन्द्रीय), मध्यस्थ, प्रनवाद

[मन्त्रा ए०-20013/2/82-टी०-३ (ए)]

ORDERS

New Delhi, the 26th May, 1982

S.O. 2187.—Whereas an industrial dispute exists between the employers in relation to the management of Kusunda Area of Messrs Bharat Coking Coal Limited Post office Kusunda District Dhanbad and their workmen represented by Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad;

And whereas, the said employers and their workmen have b a written agreement under sub-section (1) of section 10 A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement,

Now, therefore, in pursuance of sub-section (3) of section 10 A of the said Act, the Central Government hereby publishes the said agreement which was received by it on the 18th May, 1982.

AGREEMENT

(Under section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Names of parties:

Representing Employers: Sri S. N. Sinha, Personnel Manager, Kusunda Area, Post Office Kusunda, District Dhanbad.

Representing Workmen: Sri G. D. Pandey, Secretary, Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri J. N. Simlote, Dy. Chief Labour Commissioner (C), Dhanbad.

(i) Specific matters in dispute.

Whether the demand of Rashtriya Colliery Mazdoor Sangh for reinstatement of Shrimati Poko Mundain, Ex-Shale Picker of Dhansar Colliery of Bharat Coking Coal Limited, Post Office Dhansar, District Dhanbad is justified? If so, to what relief she is entitled?

(ii) Details of the parties to the Employers in relation dispute including the name and to Management of address of the establishment Kusunda Area of or undertaking involved Bharat Coking Coal

Limited, Post Office Kusunda, District Dhanbad.

(iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workman or workmen in question

(iv) Total Number of workmen employed in the undertaking affected

1400

(v) Estimated number of workmen One affected or likely to be affected by the dispute:

The Arbitrator shall make his award within a period of six months from the date of publication of the arbitration agreement in the official gazette or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the Parties

Sd/ (S.N. SINHA) (G.D. PANDEY)
Personnel Manager, Secretary
Kusunda Area, Rashtriya Colliery Mazdoor
Bharat Coking Coal Limited, Sangh, Rajendra Path, Dhanbad.
Post Office Kusunda, Dist:
Dhanbad.

Witnesses:

(1) Sd/
(2) Sd/

IN THE MATTER OF INDUSTRIAL DISPUTE BETWEEN

Employer in relation to the management of Kusunda Area of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad.

AND

Rashtriya Colliery Mazdoor Sangh (INTUC), Rajendra Path, Dhanbad, in regard to Smt. Poko Mundain denial to resume duty.

I hereby give my consent to act as Arbitrator under Section 10A of the Industrial Disputes Act, 1947 in the above dispute.

Sd/
(J. N. SIMLOTE)
Dy. Chief Labour Commissioner
(Central), Arbitrator, Dhanbad
[No. L-20013(2)/82-D III(A)]

S.O. 2188—मैसर्स भारत कोकिंग कोल लिमिटेड, डाकघर—
कुमुण्डा, जिला—धनबाद के कुमुण्डा, क्षेत्र के प्रबंधनकारी से सम्बद्ध नियोजकों श्री
उक्त के कर्मकारों के बीच, जिनका प्रतिनिवित्व राष्ट्रीय कोलियरी मजदूर
संघ, राजेंद्र पथ, धनबाद करती है, एक श्रीशोधिक विवाद विद्यमान है,

श्री उक्त नियोजकों श्रीर कर्मकारों ने श्रीशोधिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-की उपधारा (1) के उपबंधों के अनुसार मैं एक लिखित करार द्वारा उक्त विवाद को उस में वर्णित व्यक्ति के माध्यस्थ के लिए निर्देशित करने का करार कर लिया हूँ
श्री उक्त माध्यस्थ करार की एक प्रति केन्द्रीय सरकार को भेजी गई है,

पर्याप्त, यथा, श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 10-क की उपवादा (3) के उपवादों के प्रत्येकमें, केन्द्रीय मण्डल उक्त माध्यम्यम कागार को, जो उमे 18 मई, 1982 को मिला था, एकदृष्टा प्रकाशित करती है।

(करार)

(श्रीयोगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

प्रधकारों के नाम :

नियोजकों का प्रतिनिधित्व करने

वाले :

श्री एम० एन० मिन्हा, कार्मिक प्रबंधक,
कुमुण्डा क्षेत्र, भारत कोकिंग कोल लिमि-
टेड, भाकवर : कुमुण्डा, जिला : धनबाद।

कर्मकारों का प्रतिनिधित्व करने श्री जी० डी० पांडे, सेक्टरी, गांधीय कोलि-
यारों : यार मजदूर संघ, राजेंद्र पथ, धनबाद।

प्रधकारों के थीव नियन्त्रित श्रीयोगिक विवाद को श्री जी० एन० मिम्पलटे उप मुख्य श्रमयुक्त (केन्द्रीय) धनबाद के माध्यस्थम के लिए नियोजित करने का कागर किया गया है।

(1) विनिर्दिष्ट विवादग्रन्थ विषय :

क्या भारत कोकिंग कोल लिमिटेड की कुमुण्डा कोलियरी की यह धारणा कि श्रीमती गांडिया कार्मिन के मामले में उनके तथा राष्ट्रीय कोलियरी मजदूर संघ धनबाद के बीच तारीख 13-2-80 को हुआ समझौता श्रीमती गांडिया कार्मिन के ईस्ट बारियरी कोलियरी से तबादला होने पर भारत कोकिंग कोल लिमिटेड की कन्दुडीह कोलियरी में शूटी पर उपस्थित न होने के कारण यह हो गया है, न्यायोचित है? यदि नहीं, तो श्रीमती गांडिया कार्मिन किम अन्तर्वाक की हकदार है?

(2) विवाद के पक्षकारों का कुमुण्डा क्षेत्र भारत कोकिंग कोल लिमिटेड विवरण जिसमें अंतर्विलास डाकवर : कुमुण्डा, जिला : धनबाद के स्थापन या उपक्रम का नाम और पना भी सम्मिलित है।

(3) यदि कोई संघ प्रश्नगत कर्म- राष्ट्रीय कोलियरी मजदूर संघ, राजेंद्र कारों का प्रतिनिधित्व पथ धनबाद। करना है तो उसका नाम

(4) प्रभावित उपक्रम में नियो- 1800 जिन कर्मकारों की कुल संख्या

(5) विवाद द्वारा प्रभावित या एक सभाव्यत, प्रभावित होने वाले कर्मकारों की प्राप्ति- संख्या।

हम यह करार भी करते हैं कि मध्यस्थ का विनियोग हम पर आवश्यक होगा।

मध्यस्थ अपना पचार सरकारी राजपत्र में माध्यस्थम करार के प्रकाशित होने की तारीख से छः मास की अवधि या इन्हें श्रीर समय के भीतर जो हमारे बीच पारस्परिक विवित करार द्वारा बढ़ाया जाय, देगा। यदि पूर्व विवित कालाक्रियि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थम के लिए नियोग स्वतः रह हो जायेगा और हम नए माध्यस्थम के लिए आनंदीत करने को स्वतत होंगे।

प्रधकारों के इस्तेवद
ए०/० एन० एन० मिन्हा, इ०/० जी० डी० पांडे,
कार्मिक प्रबंधक, सेक्टरी,
कुमुण्डा क्षेत्र, भारत कोकिंग, गांधीय कोलियरी मजदूर संघ,
कोल लिमिटेड, डाकवर : राजेंद्र पथ, धनबाद।
कुमुण्डा, जिला : धनबाद।

माल्ही

1. ह०/०-
2. ह०/०-

मैमर्स भारत कोकिंग कोल लिमिटेड, डाकवर कुमुण्डा, जिला : धनबाद
के कुमुण्डा क्षेत्र के प्रबंधनत्र से मबद्द नियोजकों
श्रीर

श्री० सी० सी० एन० के भेज्या विवाद में ईस्ट बारियरी कोलियरी के कर्मकार
श्रीमती गांडिया कार्मिन के बारे में गांधीय कोलियरी मजदूर संघ
(इटक) राजेंद्र पथ, धनबाद

के बीच

श्रीयोगिक विवाद के मामले में

मैं उपर्युक्त विवाद में श्रीयोगिक विवाद अधिनियम, 1947 की अधा-
र 10 (क) के अधीन मध्यस्थ के रूप में कार्य करने के लिए सहमत हूं।

हम्म०

(जी० एन० मिम्पलटे)

उप मुख्य श्रमयुक्त (केन्द्रीय), मध्यस्थ, धनबाद

[संख्या एस-20013/3/82-डी०-३ (ग)]

ए० बी० एन० शमी, डेस्क प्रधिकारी

S.O. 2188.—Whereas an industrial dispute exists between the employers in relation to the management of Kusunda Area of Messrs Bharat Coking Coal Limited Post Office Kusunda, District Dhanbad and their workmen represented by Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad;

And whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement which was received by it on the 18th May, 1982.

AGREEMENT

(Under Section 10 A of Industrial Disputes Act, 1947).

BETWEEN

Name of parties:

Representing Employers: Shri S.N. Sinha, Personnel Manager, Kusunda Area, Bharat Coking Coal Ltd., P.O. Kusunda, District Dhanbad.

Representing workmen: Shri G.D. Pandey, Secretary, Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri J.N. Simlote, Dy. Chief Labour Commissioner (Central), Dhanbad :

(i) Specific Matters in dispute.

Whether the contention of the management of Kusunda area of Bharat Coking Coal Ltd., that the settlement dated 13-2-1980 reached between them and the Rashtriya Colliery Mazdoor Sangh, Dhanbad, in regard to the case of Smt. Gondia Kamin has become null and void because of Smt. Gondia Kamin not joining duty at Gondudih Colliery of B.C.C.I., on transfer from East Bassuria Colliery is justified? If not, to what relief Smt. Gondia Kamin is entitled?

(ii) Details of the parties to the Employers in relation dispute including the name to management of and address of the establishment of undertaking involved:

Bharat Coking Coal Ltd., P.O. Kusunda, District Dhanbad.

(iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workman or workmen in question:

Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad.

(iv) Total number of workmen employed in the undertaking affected:

1800

(v) Estimated number of workmen affected or likely to be affected by the dispute:

One

The arbitrator shall make his award within a period of six months from the date of publication of the arbitration agreement in the official gazette or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Sd/-

S. N. Sinha
Personnel Manager,
Kusunda Area,
Bharat Coking Coal Ltd.,
P.O. Kusunda,
Dist: Dhanbad.

Signature of Parties:

Sd/-
(G.D. Pandey)
Secretary,

Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad

Witnesses:

(1) Sd/-
(2) Sd/-

IN THE MATTER OF INDUSTRIAL DISPUTE
BETWEEN

Employer in relation to management of Kusunda Area of Messrs Bharat Coking Coal Ltd, P.O. Kusunda, Dist. Dhanbad.

AND

Rashtriya Colliery Mazdoor Sangh (INTUC), Rajendra Path, Dhanbad in regard to Smt. Gondia Kamin, a workman of East Bassuria Colliery in Area VI of BCCL.

I hereby give my consent to act as Arbitrator under Section 10-A of the Industrial Disputes Act, 1947 in the above dispute.

J. N. SIMLOTE

Dy. Chief Labour Commissioner (Central) and Arbitrator

[No. L-20013(3)/82-D.III(A)]

A. V. S. SARMA, Desk Officer

New Delhi, the 31st May, 1982

Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employer in relation to the management of Dobari Colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, District Dhanbad and their workmen, which was received by the Central Government on the 28th May, 1982

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) DHANBAD

Reference No. 62/81.

In the matter of an industrial dispute under S. 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Dobari colliery of Messrs Bharat Coking Coal Limited, Post office Jharia, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers : Shri G. Prasad, Advocate.

On behalf of the workmen : Shri Bhagwan Paswan, General Secretary, Koyala Mazdoor Congress, Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 24th May, 1982

AWARD

This is a reference under S. 10 of the I. D. Act, 1947. The Central Government by its order No. L-20012/(153)/81-D.III (A) dated 24th September, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Dobari colliery of Area No. IX of Messrs Bharat Coking Coal Limited, Post office Jharia, District Dhanbad in stopping Shri Bhorik Singh from work with effect from the 10th February, 1973 is justified? If not, to what relief is the concerned workman entitled?"

2. The case of Shri Bhorik Singh the concerned workman is that he was working in North and West Ghanudih colliery as a bailing mazdoor for 11 months before nationalisation and that he was stopped from with effect from 10-2-82 without assigning any reason. On account of this stoppage he filed several representations addressed to the manager of the colliery and Sub-Area Manager requesting them to reinstate him. According to the concerned workman this stoppage of work was illegal, arbitrary and unjustified.

3. This industrial dispute was raised by the General Secretary, Koyala Mazdoor Congress. The contention of the management is that this dispute was raised after the rejection of the earlier dispute. In fact on this ground it has been contended on behalf of the management that the reference is not maintainable.

4. The management in the written statement has taken the plea that Koyala Mazdoor Congress has no locus-standi to raise and spouse the dispute on behalf of the workman. Furthermore it has been said that this dispute was raised after about 8 years and as such the reference is bad in law.

5. On point of fact the case of the management is that the concerned workman, Shri Bhorik Singh was never in the employment of the colliery either prior to the take over of the colliery or at any time after nationalisation of the coal mines. At the conciliation stage the concerned workman produced the photostat copy of the Cap Lamp Issue Register of North & West Ghanudih colliery for 4 weeks starting from 30-12-72, 6-1-73, 13-1-73, and 2-2-73. This register is alleged to be not genuine and the entries have been denied. In the written statement of the management it has been specifically asserted that the workman should be put to the strict proof of

the cap lamp issue register. The management have positively asserted that at the time of take over the Custodian prepared a list of workers including bailing mazdoor working in the mine and in that list the name of the concerned workman does not appear. Similarly the relevant colliery registers were also seized by the custodian, such as Form B registers, Form C attendance registers, wage-sheets, etc., but in none of these registers the name of the concerned workman appears anywhere. Furthermore, it was not disclosed by the concerned workman as to whether he was permanent, probationer, badli, substitute, temporary, apprentice or casual. In this connection the management has said that even if the concerned workman worked for 4 weeks as a bailing mazdoor he could not be said to be permanent as he had not completed 240 days' attendance to claim any benefit from the employer. In the end it has been said that there has been no employer-employee relationship between the concerned workman and the management of North & West Ghanuadhi colliery (now Dobari colliery). The workman cannot get any relief.

6. Before taking up the question as to whether this reference is maintainable or not maintainable, we should find out as a fact as to whether the concerned workman, Shri Bhorik Singh happened to be a bailing mazdoor at the time of take over. It is an admitted position that North & West Ghanuadhi colliery which later came to be known as Dobari colliery happened to be a non-coking coal mine. The management of this mine was taken over by the Government on 31-1-73 under the Non-Coking Coal Mines (Emergency Provision) Act, 1972. It is further admitted that this colliery was nationalised w.e.f. 1-5-73 under the Non-Coking Coal Mines (Nationalisation) Act, 1973. The management has filed a number of documents. The workman has examined Shri S. P. Mishra, WW-1 who was the welfare officer of Dobari colliery from March, 1971 to April, 1974. He has in his cross-examination proved the documents produced by the management. Ext. M1 is bonus register from January to March, 1973. For the same period there are three other bonus registers which are Exts. M2, M3 and M4. Exts. M5 to M13 are 9 attendance registers of the colliery. Now in all these documents the name of the concerned workman does not appear.

7. The management has examined MW-1 Shri N. G. Mukherjee who was a clerk of the colliery during the private owners time then called as North & West Ghanuadhi colliery. He has said that after nationalisation this colliery came to be known as Dobari colliery. His evidence is that form B register was being maintained even during the time of the private owner and that the name of Shri Bhorik Singh was never mentioned in the form B register. His further evidence is that after the take over a Man Power list was prepared by the Custodian which he had occasion to see. But in that Man Power list there is no mention of Shri Bhorik Singh's name.

8. The management also examined Shri Ali Ahmed Zafri, MW-2. He was a Personnel Officer in South Kujama colliery at the time of take over of the colliery by the Government. In 1973 he was in the Jharia Gholakhali Sub-area office. He had gone to take over charge of North & West Ghanuadhi colliery by the order of the Custodian. He was not posted in the colliery from before the Man Power list. Ext. M15 was prepared. This list also does not show the name of the concerned workman.

9. From the oral and documentary evidence of the management an attempt has been made to show that Shri Bhorik Singh was never an employee of the colliery. In the documents produced by the management the name of Shri Bhorik Singh as a workman of the colliery does not appear anywhere. MW-1 Shri N. G. Mukherjee, head clerk of the colliery has said that he was working in the head office of the private owner of the colliery Shri Ramlal Agarwalla at Jharia. The Dobari colliery where the concerned workman is alleged to have been working is at a distance of about 2 kms from Jharia as deposed by him. The witness has further said that since he was not working in the colliery itself it was not possible for him to recognise either by name or by face the majority of the workmen of the colliery. So this witness is not in a position to say to his own knowledge whether the concerned workman works in the colliery during the time of the private owner. His evidence is based upon the entries in form B register which has not been produced in this case. He has further based his knowledge on the Man Power list prepared by the Custodian. MW-2 Shri Ali Ahmed Zafri has nothing to do with this colliery before the take over. He had been deputed by the Custodian to take over charge of the colliery

from the private owner. The then manager of the colliery had produced before him the register and other papers of the colliery. The witness has said that the Man Power list was prepared under his supervision on the basis of the records and from verification made by him from the colliery manager and the staff. He has specifically mentioned that in preparing the Man Power list he had taken into consideration the 'tel khata'. He has said that several tel khatas had been produced by the management in this case. He was unable to say that there was some other tel khatas in which the name of the concerned workman, Shri Bhorik Singh was mentioned as a workman. He has admitted that for the purposes of take over he and other staff of the Custodian had visited Ghanuadhi colliery for 1-1/2 months. With regard to the cap lamp issue register the witness has answered that he did not remember whether he had checked any such register at the time of verification.

10. In connection of the evidence of MW-2 the argument on behalf of the concerned workman is that this witness MW-2 is not competent to depose as to whether Shri Bhorik Singh was a workman in the colliery at the time of take over. It is a fact that he prepared the list of the workers on the basis of the documents produced before him by the manager and other staff of the private owner. The contention raised is that the colliery manager who had been coming from the time of the private owner and from whom the documents were seized would have been the most competent person to depose whether the concerned workman was a bailing mazdoor in the colliery. But neither the colliery manager nor the other staff of the colliery were produced by the management on this point. According to the workman he produced from his own custody a cap lamp issue register, Ext. W.1 showing that he was a bailing mazdoor from week ending 23-12-72 to week ending 2-2-73. The manager of the colliery could have been confronted with this register, Ext. W.1 and that could have shown the exact position as to whether Shri Bhorik Singh was a workman or not.

11. The workman has tried to prove from the evidence of his witnesses that he was a workman. Shri S. P. Mishra, WW-1 was the welfare officer since March, 1971 to April, 1974 in Dobari colliery. His evidence is that he knew Shri Bhorik Singh who is the concerned workman. He was underground worker in Dobari colliery as bailing mazdoor. He has proved the cap lamp issue register, Ext. W.1. He has further said that this cap lamp issue register has been duly signed by the Assistant colliery manager and the cap lamp issue clerk. He has further said that Shri S. M. Nandi the Assistant Colliery Manager had signed on the register and Sri Surajdeo Yadav, cap lamp issue clerk had also signed this register. WW-1 Shri S. P. Mishra is still in the employment of BCCL. His evidence is positive that the concerned workman was a bailing mazdoor in the colliery. It is an admitted position that this witness was the welfare officer during the time of the private owner and continued to be in that colliery till April, 1974. There is no doubt about his competency to depose on the point as to whether Shri Bhorik Singh was a bailing mazdoor in the colliery. In his cross-examination he proved all the documents of the management except Ext. M-15 which was proved by MW-2. Among the documents he proved 9 attendance registers which are Exts. M5 to M13. But he also deposed that there was at least 7 more attendance registers of the same colliery in which the concerned workman was shown to be a bailing mazdoor. But the same has not been produced by the management. He has further said that before the Custodian a total of 16 attendance registers were produced including the 9 registers Exts. M5 to M13. His evidence further is that the Sub-area had prepared the Man Power list after nationalisation and that it did not contain the name of Shri Bhorik Singh and therefore he was not employed w. e. f. 10-2-73. He has further said in cross-examination that the Assistant Colliery Manager Shri S. M. Nandi had signed only one page of Ext. W.1 and no date was given below his signature. His evidence further is that Ext. W.1 is a statutory register and therefore maintained on form with regard to the attendance registers Exts. M5 to M13 he has said that those are not in form. His evidence is positive that Shri Bhorik Singh worked for 6/7 months before he was stopped from work on 10-2-73.

12. The management's witnesses were examined after the evidence of WW-1. WW-1 had asserted that Ext. W.1 contained the signature of the Asstt. colliery manager, Shri S. M. Nandi. The management should have examined Shri S. M.

Nandi to either confirm or deny his signature on Ext. W.1. This evidence of WW.1 that Shri S. M. Nandi, the Asstt. colliery manager had signed Ext. W.1 remains uncontroversited. The workman also examined Shri Surajdeo Yadav, WW-2 who was the cap lamp issue clerk from 1972 to 1973. He has identified in the court Shri Bhorik Singh the concerned workman and has stated that he was working in Dobari colliery, serving as bailing cooli during his time as cap lamp issue clerk. He has further said that Shri Bhorik Singh worked as bailing mazdoor in Dobari colliery for 2/3 months. He did not see him working thereafter because he was transferred to another section as electrician. His evidence is that in the cap lamp issue register, Ext. W.1, Sl No. 21 is in respect of Shri Bhorik Singh in his cross-examination he has said that the register, Ext. W.1 is in respect of 3rd shift 'O' seam. He has further said that the register, Ext. W.1 bears his signature in only one page. He denied the suggestion that the ink of his signature is different from the ink with which the entries were made. From the trend of cross-examination it will appear that it was not denied by the management that the entries were made by this witness in Ext. W.1. The only contention seems to be that he put his signature with a different ink. The main purpose to find out is as to whether this witness made the entries and it has been adequately proved by WW.2. It will therefore appear that the concerned workman has proved from the cap lamp register, Ext. W.1 and also from the evidence of the welfare officer (WW.1) and the cap lamp issue clerk (WW.2) that he worked in 'O' seam of the colliery as bailing mazdoor. It has been contended on behalf of the workman that none of the documents produced on behalf of the management are concerning the 'O' seal of the colliery. WW.1 has said that 7 attendance registers of the colliery have not been produced which could have shown the attendance of the concerned workman. It is difficult to say that Shri S. P. Mishra (WW.1) an officer of the BCCL would have come to depose against the management if the case of the concerned workman was not correct. Furthermore, WW.2 is still continuing in the service of the management and he also ventured to come as a witness of the workman to support his case. From all these facts I have no doubt in my mind that till the week ending 10-2-73 Shri Bhorik Singh worked as a bailing mazdoor in the colliery. The take over took place on 31-1-73. It means that even after a few days of the take over the concerned workman has proved that he was continuing as a bailing mazdoor. His positive case is that from 10-2-73 he was stopped from work.

13. In support of his case the concerned workman has proved Ext. W.2 which is a representation dated 17-4-73 addressed to the manager, North & West Chanuadhi colliery with copies to the Custodian and others. Next document is Ext. W.3 dated 8-9-80 signed by Lala B. P. Sinha, Member, Central Executive Committee, Rastriya Colliery Mazdoor Sangh, Dhanbad addressed to the General Manager, Basta-colla Area No. IX. In the letter the case of the concerned workman was taken up. Furthermore, Lala B. P. Sinha addressed a letter to the Asstt. Labour Commissioner (C) Dhanbad requesting him to take up the matter for consideration.

14. It will appear from the documentary evidence produced on behalf of the concerned workman that even before nationalisation on 1-5-73 a petition was filed before the manager with copy to the Custodian to constitute him. It was sent by registered post. The management has produced no counter evidence. The concerned workman has said that he also represented after nationalisation. But before me there is no documentary evidence to prove the same except that in the year 1980 the case of the concerned workman was taken up by Lala B. P. Sinha of Rastriya Colliery Mazdoor Sangh. On behalf of the management it has been contended that after nationalisation the management of the colliery vested with the BCCL and prior to that the Custodian was managing on behalf of the private owner. What is intended to be conveyed is that after nationalisation the concerned workman did not approach the management of BCCL for his employment. In this connection it is note-worthy that this aspect of the case has impact on the question as to whether the BCCL is liable for compensation to the workman in case the stoppage of work was found to be illegal. What I mean to say is that the question as to whether the concerned workman was an employee of the colliery at the time of take over is not dependent on the question as to whether any representation was filed before the BCCL.

15. I have discussed the evidence at length to find out as to whether the concerned workman Shri Bhorik Singh was

at all a workman of the colliery at the time of take over. After full discussions of the various aspects involved in this case I have already come to the conclusion that he was a workman of the colliery. WW.1 in his cross-examination has said that prior to take over the concerned workman was a bailing mazdoor for 6/7 months and that he was not a permanent employee. The question as to whether he was permanent, temporary or casual is not very material. The take over took place by virtue of a legislation by the Government of India and it was provided that the interest of the workman already working in the colliery should be protected. The said provision was also made in the Nationalisation Act. Shri Bhorik Singh the concerned workman has been proved to be a workman of the colliery from the documentary as well as oral evidence. His interest therefore should have been protected by the Custodian. But instead of protecting his interest he was stopped from work from 10-2-1973, i. e. only 10 days after the take over. It is clear that if the Custodian had mentioned his name in the Man Power list, he would have continued to work as bailing mazdoor even after nationalisation. But this right to serve was denied to him for no specific reason except that he was not a workman at all. This position taken by the management has been belied by the evidence produced on behalf of the workman. I am therefore to hold that Shri Bhorik Singh was illegally stopped from work on 10-2-73

16. With regard to the question as to whether this reference is maintainable or not, no stress has been laid on behalf of the management. This reference was made by the Government of India to this court. There is nothing indicate that the Government of India refused at the first instance to refer this case for adjudication. Even if this be the position, the Government of India has the necessary authority to reconsider the case of dispute for the purpose of adjudication. On this point the management therefore cannot succeed.

16. It has next been contended on behalf of the management that Koyala Mazdoor Congress had no adequate backing in the colliery to raise any industrial dispute. Admittedly it is a registered union functioning in the area of the colliery. The workman has said in his evidence that in Dobari colliery it has a strength of about 125 persons. Now, even if this be so, the number should be taken to be sufficient. Moreover, the competence of a union to raise a dispute need not necessary to depend upon the strength of members in a particular colliery to which the dispute relates, but the general strength of the union in adjoining colliery. In this connection also I may say that the management has given no evidence whatsoever, but has picked up some statements of the workmen about the strength of the union. I therefore hold that there is no substance in the contention of the management that Koyala Mazdoor Congress is not competent to raise this dispute.

17. It has been urged before me on behalf of the concerned workman that he should be paid his wages and other emoluments from 10-2-73. I do not agree because the Bharat Coking Coal Limited which is the only party in this case had no information about this unjustified stoppage of work by the Custodian. On behalf of the workman Rastriya Colliery Mazdoor Sangh union filed a petition in the year 1980 and thereafter this dispute was raised. Moreover, at the time of conciliation a photostate copy of the Cap Lamp Register, Ext. W.1 was produced on behalf of the workman. There is nothing to show that before the management of BCCL any document was produced on behalf of the concerned workman to show that he was at all a workman of the colliery at the time of take over. But I do not agree that at the time of conciliation the management of the BCCL knew about the documentary evidence in possession of the concerned workman.

18. It is therefore in fitness of things that the following award should be passed :

(1) the action of the management of Dobari colliery of Area No. IX of Messis Bharat Colliery Coal Limited, Post office Jharia, District Dhanbad in stopping Shri Bhorik Singh from work with effect from 10th February, 1973 is not justified. The concerned workman should be reinstated in the job of bailing mazdoor from 10-2-73.

(2) he should be paid wages and other emoluments of a bailing mazdoor w. e. f. 24-9-81 which is the date of this reference.

(3) the concerned workman Shri Bhorik Singh should present himself for the job of bailing mazdoor before the management of the colliery within one month of the publication of this award.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012(153)/81-D.III(A)]
A. V. S. SARMA, Desk Officer

आदेश

नई दिल्ली, 23 अप्रैल, 1982

फांगा २१९०.—बैन्डीय मरकार की राय है कि इसमें उपादान अनुसूची में विनिर्विल विषय के बारे में मैमर्स फिर्मेनी फोटोग्राफीज कम्पनी लिं. रामगुड्डम, डिविजन-I के प्रबन्धनकारी से गमनन्व एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

प्रीर केन्द्रीय मरकार उक्त विवाद को व्यावर्तित करना चाहिए ममकरी है;

अतः केन्द्रीय मरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की शार 7-क और धारा 10 की उप-धारा (i) के अंडे (ब.) द्वारा प्रदत्त शिक्षणों का प्रयोग करने वाले, एक औद्योगिक अधिकारी गठित करती है जिसके पाठासीन अधिकारी श्री श्रीं प्रमाद राज होंगे, जिनका मुख्यालय हैंगावाद में होगा और उक्त विवाद को उक्त अधिकारण की व्यावर्तित करती है।

अनुसूची

क्या गैसों सिगरेटी फोनिवरीश कम्पनी लिमिटेड, रामगुड्डम क्लेन डिविजन-II का प्रबन्धनकारी श्री उशीकालता लाचूलु, काल फील्ड और श्री० के०-२४० लक्काइन को रामगुड्डम कोयला भजद्दी क्लास-II के प्रनुसार उस अधिकारी के द्वारा वह विवाद के प्रक्रम में १०-६-१९८१ को गिर जाने के बारें विविक्त उपकार करा रहा था, पूर्ण मनदीरी का सदाय न करने भी व्यावर्तित है? यदि नहीं तो सर्वधिक कर्मकार किस अनुताप का दृष्टिकोण है?

[सं० ए०- २१०१२/२/८२ - श०-४ (बी)]
एग० एग० मेहता, ईस्क अधिकारी

ORDER

New Delhi, the 23rd April, 1982

S.O. 2190.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Missis Singareni Collieries Company Limited, Ramagundam Division-I and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government by this constitutes an Industrial Tribunal of which Shri B. Prasada Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the management of Missis Singareni Collieries Co. Limited, Ramagundam Area Division II is justified in not paying full wages in accordance with National Coal Wage Agreement-II to Shri Ushikamalla Lachulu, Coal Filler, GDK.2A Incline for the period he was under medical treatment due to his fall on 19-6-81 during the course of employment? If not, to what relief is the workman entitled?”

[No. L-21012(2)/82-D.IV (B)]

New Delhi, the 28th May, 1982

S.O. 2191.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Sripur Sub-Area of Eastern Coalfields Limited, Post Office Kalipahari, District Burdwan and their workmen, which was received by the Central Government on the 21-5-1982.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NO. 3, DHANBAD Reference No. 20/80

PARTIES :

Employers in relation to the management of Sripur Sub-Area of Eastern Coalfields Ltd., P.O. Kalipahari, District Burdwan.

AND

Their workman.

APPEARANCES :

For the Employers—Shri D. Gangopadhyaya, Sr. Personnel Officer.

For the Workman—Shri S. Chakravorty.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 17th May, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them u/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012 (21)/79D.IV(B) dated the 10th April, 1980.

SCHEDULE

“(1) Whether the management of Sripur Sub-Area of Eastern Coalfields, Ltd., P.O. Kalipahari, Distt. Burdwan was justified in not reckoning the allowance of Rs 150 p.m. while placing Shri Madan Mohan Das in Grade II (Clerical) with effect from 1-5-73? If not, to what relief is the concerned workman entitled?

(2) Whether the claim of the workman to be placed in special grade is justified? If so, from what date.”

2. The case of the workman is that prior to take over the erstwhile management used to pay him a monthly allowance of Rs. 150 besides his monthly basic salary of Rs. 300 per month and these two payments were being made to him through two separate vouchers. It is submitted that as per practice of the erstwhile management Samdi-Sangramgarh Colliery monthly payments were made to the workmen through vouchers so long they were not made permanent, but no V.D.A. etc. was paid to them. The separate allowances were also paid through vouchers. It is further stated that as the concerned workman did not complete his probationary period of three months before 31-12-72 his name was not included in the wage sheet of the permanent workmen in 1972. It is also stated that besides the concerned workman 4 other employees of erstwhile management of the said colliery used to get monthly allowances besides their basic pay.

3. It is then alleged that after take over from the month of January, 1973 the payment of monthly allowance of Rs. 150 to the concerned workman and also to others were stopped by the management of Coal Mines Authority and thereafter verification the concerned workman was paid a monthly allowance of Rs. 150 from January to April, 1973 in the month of September, 1973 but from 1-5-1973 the said payment was stopped without any notice u/s 9A of the Industrial Disputes Act.

4. It is next alleged that besides the above payment the concerned workman is also entitled to be placed in the special grade of the Wage Board recommendation as per terms of appointment of the concerned workman from 1-10-1972. He was given the job of Senior Clerk with trust and confidence and used to look after the job of other clerks and even after nationalisation he worked in the same capacity and that his basic pay had been fixed at Rs. 300 per month in the special grade by the erstwhile management though it was wrong to some extent as his basic pay should have been fixed in the scale of Rs. 305—505. According to the workman he used to get basic salary of Rs. 300 p.m. which was not consolidated as he used to get bonus etc. It is however stated that after nationalisation the pay of the concerned workman was reduced to Rs. 240 p.m. in clerical grade II arbitrarily which is illegal and unjustified. His demand is that he is entitled to be placed in the special grade at the initial basic pay of Rs. 305 with effect from 1-1-1973 besides Rs. 150 as special allowance. Another demand is that his rank should not have been lowered to special grade clerk and the said order of the management is illegal and void.

5. The management has challenged the claim of the concerned workman. It is firstly stated that the sponsoring union is not competent to raise the present dispute as the said union has got no existence in this colliery and that the concerned workman is not a member of the said union. ..

6. On merits the case of the management is that the concerned colliery was a small mine located in the interior and its economical condition was such that it could not even fully implement the Wage Board recommendation and so it is impossible to suggest that the management used to pay about half of the basic pay as allowance to the concerned workman. According to the management the concerned workman Shri Das was an employee of a contractor who was running Quarry No. 4A, 4B and 4C of this colliery and he was never appointed by the colliery management and that he was getting Rs. 300 p.m. as consolidated wage on vouchers. In July, 1973 the quarries were taken in direct management by the Coal Mines Authority Ltd., and the services of the concerned workman were regularised as Bill Clerk with effect from 1-7-1973 and his basic pay was fixed at Rs. 240 p.m. It is submitted that the concerned workman in collusion with the then Manager succeeded in the manufacturing of number of documents even though the Manager had ordered payment of consolidated wage at Rs. 300 p.m. only. The workman made out a different case and manufactured documents to that effect. It is however stated that after take over on the recommendation of the management some of the workers were allowed to draw special allowance for a period of 4 months but when it was found that the said workman had no such case the said payment was stopped. It is however stated that the concerned workman has been promoted to Clerical Grade I in May/June, 1978 but in view of the pendency of the dispute his upgradation has been kept in abeyance of the dispute that there is no merit in the demand of the workman that the so-called allowance of Rs. 150 should be reckoned with placing Sri Das in proper grade. It is further submitted that the workman was in receipt of a consolidated salary of Rs. 300 p.m. which he automatically got even though his basic salary was fixed at Rs. 240 after nationalisation.

7. On the above grounds it is prayed that the Reference be decided in favour of the management.

8. The points for consideration are as follows .

- Whether the management was justified in not reckoning the allowance of Rs. 150 p.m. while placing the concerned workman in Clerical Grade II with effect from 1-5-73.
- Whether the claim of the workman to be placed in special grade is justified.
- To what relief or reliefs the concerned workman is entitled.

9. I shall first take up the preliminary issue as to whether the sponsoring union was competent to raise the present dispute or not. Ext. W-1 is the registration certificate showing that the sponsoring union viz., Coal Mines Employees Union is

a Registered Union. Ext. W-3 is a letter dated 10-1-1977 signed by 43 workmen of Gopur Area to the President of this union authorising him to take up the dispute of Sri Das. Ext. W-10 to Ext. W-12 are the subscription receipts showing payment or subscription to this union by Sri Das. Ext. W-13 is the membership register showing that the concerned workman is a member of this union. Besides this the concerned workman has examined himself and has stated that he is a member of this union. W.W. 2 Sri J. Chakravorty who is President of this union has stated that there was resolution (Ext. W-25) authorising the union to take up the case of the concerned workman. All these documents thus indicated that the concerned union was duly authorised to take up the present dispute and this union has sufficient number of members in this colliery and was thus competent to raise the present dispute. The Reference, therefore, is not incompetent on this scale.

10. Ext. W-4 is a letter dated 7-11-77 written by the Joint Secretary of the Union to the Sub-Area Manager raising dispute of the concerned workman. Ext. W-5 is another letter of the Joint Secretary to the A.L.C. raising the dispute. Ext. W-6 dated 22-12-77 is a notice by the A.L.C. and Ext. W-7 dated 3-3-1978 is another letter to the A.L.C. regarding the dispute Ext. W-8 is another notice issued by the A.L.C. and finally Ext. W-9 is the failure report.

11. The next question to be considered is as to whether the action of the management in not reckoning the allowance of Rs. 150 p.m. while placing Shri Das in Clerical Grade II after nationalisation and not placing him in special grade is justified. According to the management no special pay of Rs. 150 p.m. was paid to the concerned workman but this payment was made even by the present management for a period of 4 months on the recommendation of the then Manager who was in collusion with the concerned workman. But subsequently it was stopped. The fact however remains that a special allowance of Rs. 150 p.m. was paid to the concerned workman even by the present management for a period of 4 months and this position cannot be challenged. According to the terms of the reference this Tribunal is only to see whether the action of the management in not reckoning the said allowance while giving proper grade to the concerned workman is justified or not. The Tribunal cannot decide in this present reference as to whether this allowance of R. 150 was being paid by the erstwhile management or not. Ext. W-15 is the appointment letter dated 20-6-1972 by the then management showing that the workman was to receive the basic salary of Rs. 300 besides an allowance of R. 150 p.m. This allowance included V.D.A. and to defray the expenditure due to non-allotment of suitable accommodation and 10 per cent bonus under the Bonus Act. The genuineness of this letter has been challenged but the fact remains that the special allowance of Rs. 150 was paid to the concerned workman even by the present management. Ext. W-16 is a letter extending the period of probation of the concerned workman. Ext. W-17 is the Office Order which shows the duties which were assigned to Shri Das. There is another letter however dated 29-9-73 (Ext. W-18) written by then Manager to the Sub-Area Manager which shows that Shri Das was all along paid Rs. 300 basic pay besides D.A. etc. This letter does not show that he was getting any extra allowance of Rs. 150 p.m. But this is not very material for the purpose of this case. Ext. W-19 is a recommendation by the then Manager for payment of special allowance to the concerned workman and other staff. The name of the concerned workman however is not mentioned in this letter. Ext. W-21 is another such letter. All these documents no doubt indicate that the concerned workman was paid an allowance of Rs. 150 besides his basic pay. The above documents however become somewhat suspicious when we refer Ext. M-1 which is a voucher in the name of concerned workman dated 7-2-73. In this voucher the consolidated salary of the concerned workman has been shown at Rs. 300 only. The concerned workman has stated that he received this amount on protest. On the back of it the concerned workman has put his signature and date which is 14-2-73 and above it the words 'on protest' has been written. But from a very look of this endorsement it will appear the words 'on protest' has been written subsequently in a different ink.

12. From all the above documents it is clear that though a sum of Rs. 150 was paid by the present management for a period of 4 months only to the concerned workman, but

this was only due to the existence of suspicious documents in favour of the concerned workman. The genuineness of the documents in favour of the concerned workman is falsified from the document Ext. M-1 which clearly indicated that the consolidated salary of the concerned workman was Rs. 300 only p.m. No document has been filed on behalf of the concerned workman to show that he ever got Rs. 150 as special allowance by the erstwhile management prior to take over. It is a matter of common experience that at the time of take over several manipulations were made in private collieries and several documents were brought into existence to suit the purpose of some selected employees who were in the good book of the then management and in that process several imposters were shown as employees of private collieries. The Government after take over had to concede to the recommendations of the then management in some cases and it appears that on the recommendation of the then management payment of Rs. 150 p.m. for a period of 4 months was made to the concerned workman also but when it was found that there was no basis for that it was rightly stopped by the management and in such circumstances, in my opinion, the management was fully justified in not reckoning the said allowance while giving Clerical Grade II to the concerned workman.

13. Even from the appointment letter it will appear that the concerned workman was to get a salary of Rs. 300 p.m. which included everything. The present management fixed his basic salary at Rs. 240 besides other legal payments and the total of which came to Rs. 300 p.m. and so it cannot be said the pay of the concerned workman was reduced in any way. Further though in the appointment letter it is stated that the concerned workman was appointed as Senior Clerk but his pay was not fixed in the scale of Rs. 305 p.m. which is payable to a Clerk of Special grade. It is no doubt true that certain extra works were taken from the concerned workman as will appear from some of the documents filed by him such as Exts. W-4, W-20 and W-22 but that alone would not entitle the concerned workman to be put in special grade. He was in fact appointed in the last quarter of 1972 and he cannot claim special grade in less than a year from 1-5-73. Ext. M-2 is the establishment register of the concerned colliery for the year 1972 and Ext. M-3 is the office order showing that Shri Das was regularised as Grade I Clerk from Grade II in the year 1978. MW-1 is the Senior Personnel Officer who has stated that Shri Das was getting only Rs. 300 p.m. as consolidated pay and after take over he was placed in Clerical Grade II on a salary of Rs. 240 p.m. plus V.D.A. etc. which came to Rs. 300 as consolidated pay. He has further stated that in the establishment register of the erstwhile management Ext. M-2 the name of the concerned workman does not appear.

14. Evidently the concerned workman had been appointed by the erstwhile management only a few months prior to the take over and within a period of few months only it was not reasonable and justifiable for the management to give special grade to the concerned workman. He was rightly regularised in Grade II after take over and in the year 1978 he has been given the special grade.

15. Thus on a consideration of the above facts and circumstances, I hold that the management was justified in not reckoning the allowance of Rs. 150 while placing Shri Das in Grade II and the claim of the workman to be placed in special grade is not justified. He has in fact been put in his special grade in 1978 and this action of the management is fully justified.

16. The concerned workman, in the circumstances is not entitled to any relief.

17. I give my award accordingly.

J. N. SINGH, Presiding Officer
[No L 19012(21)/79-D.IV(B)]
S. S. MEHTA, Desk Officer

New Delhi, the 1st June, 1982

S.O. 2192.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employees in relation to the management of Western Coalfields Limited, Pench Area, and their workmen which was received by the Central Government on the 28-5-82.

BEFORE JUSTICE SHRI S. R. VYAS (REGD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M. P.)
Case No. CGIT/LC(R) (31)/1979.

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Pench Area in relation to the Newton Chickly Colliery and their workmen S/Shri Gurudayal, Ghanaram, Harisingh, Rewaram, Hari, Laxman and Raghu, Boring Mazdoors represented through the Bhartiya Koyal Khadan Mazdoor Sangh (BMS) Main Road, Chandametta, P. O. Chandametta, District Chhindwara (M.P.).

APPEARANCES :

For Union—Shri S. S. Shakarwar, Advocate.
For the Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal DISTRICT : Chhindwara (M.P.)

Dated : May 22, 1982.

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide Notification No. L-22012/17/78-D.IV (A) Dated 7th November, 1979 for the adjudication of the following dispute by this Tribunal :—

“Whether the action of the General Manager, Western Coalfields Limited, Pench Area, Parasia in relation to their Newton Chickly Colliery in terminating the services of Sarvashri Gurudayal, Ghanaram, Harisingh, Rewaram, Hari, Laxman and Raghu, Boring Mazdoors, from the 1st April, 1975 is justified? If not, to what relief are the concerned workmen entitled?”

2. The dispute between the parties was with regard to the termination of the services of S/Shri Gurudayal, Ghanaram, Harisingh, Rewaram, Hari, Laxman and Raghu who were employed as Boring Mazdoors in the Newton Chickly Colliery of the Western Coalfields Limited, Pench Area, Parasia, District Chhindwara.

3. According to the workmen they were employed as Boring Mazdoors at different places by the management and they worked at Damua, Datla, Chicklimau, Ambara etc. upto 20-8-1975, but suddenly by an order passed on 31-3-1975 their services were terminated by an order passed on 31-3-1975. This termination, according to the workmen, was totally unjustified.

4. As against this claim made by the workmen, the management has contended that the aforesaid workmen were only casual employees and had not completed the service of 240 days within the period of 12 calendar months from the date of the termination of their services. Further according to the management the need for employment of Boring Mazdoors is a fluctuating need and employment is given as and when there is a need for the employment of such mazdoors. It was, according to the management, on the basis of actual need and administrative convenience that these workmen were employed. In their respective rejoinders both the parties denied the allegations made by the other party and contended that whatever statements have been made by them in their statements of claims indicated the correct position.

5. The adjudication proceeding were practically complete and the arguments were also partly heard on 10-5-1982 and the case was reserved for further arguments on 4-6-1982.

6. Before the arguments could be further heard on 4-6-1982 Shri P. S. Nair, Advocate, for the management filed an application along with a settlement between the parties, according which the parties have mutually settled the dispute on the following terms :—

1. Management agrees to reinstate Sarvashri Gurudayal, Ghanaram, Hari Singh, Rewaram, Hari, Laxman and Raghu as Cat. I Mazdoors of NCWA-II in any of the mines of Pench Area.
2. The above named persons would be taken back on duty subject to their being found medically fit by the Area Medical Board/Chief Medical Officer, Barkui Hospital and after publication of the award.
3. The intervening period i.e. from the date of their termination to their joining duty will be treated as 'Dies-non' i.e. no work no pay. However, for maintaining good industrial relations the management agrees to give them continuity of service for the purpose of Gratuity only.
4. The Union agrees to give up all the claims for back wages and all other claims except above terms as full and final settlement and shall not raise any other dispute in respect of the matter in dispute.
5. This settlement shall not be treated as a precedent in any other case.
6. The parties agree to file the compromise settlement before the Presiding Officer, G.G.I.T., Jabalpur and request for an award in terms of the settlement.

7. According to the aforesaid terms, the workmen are to be reinstated and the intervening period i.e. the period from the date of the impugned termination of service upto the date of reinstatement has to be treated as "no work no pay". The management, however, has agreed to give them continuity of service for the purposes of Gratuity only. Shri Nair, Advocate, for the management admits that the settlement has been duly signed by the representative of the workmen i. e. the President of the B. K. K. M. Sangh and the representative of the management. As the settlement appears to be just and fair and appears to have been arrived at not only for reinstatement of the workmen but for maintaining industrial peace and harmony, I find no reason as to why it should not be accepted. Accordingly as requested by both the parties the following award on the basis of the agreed settlement between the parties is given :—

1. that the management shall reinstate S/Shri Gurudayal, Ghanaram, Hari Singh, Rewaram, Hari, Laxman and Raghu as Cat. I Mazdoors of NCWA-II in any of the mines in the Pench Area;
2. that the reinstatement will be subject to their being found medically fit by the Area Medical Officer/ Chief Medical Officer, Barkui Hospital after the publication of the award;
3. that the period between the date of the termination of their service and the date of reinstatement shall be treated as "no work no pay";
4. that the management shall treat the workmen in continuous service only for the purposes of Gratuity only.
5. that the workmen agree that all claims for the back wages and other claims except the claim for continuity of service for the purposes of gratuity shall be given up.

In view of the fact both the parties have mutually settled the dispute there will be no order as to costs.

S. R. VYAS, Presiding Officer
[No. L-22012 (17)/78-D.IV (B)]
S. S. MEHTA, Desk Officer

नई दिल्ली, 28 मई, 1982

सांख्यका 2193.—ठेका अम (विनियमन और उत्पादन) अधिनियम, 1970 (1970 का 37) की धारा 10 की उपधारा (1) द्वारा

प्रदस्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार केन्द्रीय बोर्ड के माध्यम संग्रहीत करते के पश्चात्, देश में सभी लोहा अयस्क खानों में, इसके माध्यम संग्रह अनुसूची में निर्दिष्ट कार्य में ठेका अधिकों के राजगार को तत्काल निषिद्ध करती है।

अनुसूची

1. ऋषिग प्लाटा, स्टीरिंग प्लाटो और/या फ्लेयर बैल्टों में भक्ष साफ करने की सक्रियाएं, और
2. वैगत लेविलिंग सक्रियाएं।

[संख्या यू-23013/2/81-एल० डब्ल्यू]

एम० एम० सिंह, उप सचिव

New Delhi, the 28th May, 1982

S.O. 2193.—In exercise of the powers conferred by sub-section (1) of section 10 of the Contract Labour (Regulation and Abolition) Act 1970 (37 of 1970), the Central Government after consultation with the Central Board, hereby prohibits the employment of contract labour in the works specified in the Schedule annexed hereto, in all iron ore mines in the country with immediate effect.

SCHEDULE

1. Muck cleaning operations in crushing plants, screening plains and/or conveyor belts; and
2. Wagon levelling operations.

[No. U/23013/2/81-LW]

M. M. SINGH, Dy. Secy.

नई दिल्ली, 27 मई, 1982

का० आ० 2194.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहिन में ऐसा करना अवैधिक था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (३) के उपखंड (IV) के उपखंड के अनुसरण में भारत सरकार के अम मंत्रालय की अधिसूचना संक्षेप का० आ० 3412 तारीख 4-12-1981 द्वारा लौह अयस्क खनन उद्योग को उक्त अधिनियम के प्रयोगने के लिए 4-12-1981 से छ साल की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहिन में उस कालावधि को छ साल की और कालावधि के लिए बढ़ाया जाना अवैधिक है;

इति, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (३) के उपखंड (VI) के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उस अधिनियम के प्रयोगना के लिए 4-6-82 से छ साल की और कालावधि के लिए लाल उपयोगी सेवा घोषित करती है।

[मा० एस० 11017/8/81/डी-1(प.)]

New Delhi, the 27th May, 1982

S.O. 2194.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. C. 3412 dated the 4-12-1981 and iron ore mining industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 4-12-1981;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (a) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 4-6-1982.

[I. No. S.11017.8/81-D I(A)]

प्रादेश

नई दिल्ली, 29 मई, 1982

क्रा० आ० 2195—भारत सरकार के भूत्यूर्वे अम प्रीर चौताराय विभाग की अधिकारीना संब्या क्रा० आ० 456 मारीबा० 5 फरवरी, 1963 द्वारा गठित अम न्यायालय, मुख्यालय हैदराबाद के पीठामीन अधिकारी का पद रिक्त है।

अम, अब औद्योगिक विवार अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुपरण में लेन्ड्रीय सरकार श्री विं शीलादार गवर्नर को उस गठित अम न्यायालय के पीठामीन अधिकारी के पद में नियुक्त करती है।

[मं० एम० 11020/4/81-डी 1 ए]

मं० क्र० नारायणन, अमर सचिव

ORDER

New Delhi, the 28th May, 1982

S.O. 2195.—Whereas the vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Hyderabad constituted by the notification of the Government of India in the Late Ministry of Labour and Employment No. S. O. 456 dated 5th February, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri V. Neelakanti Rao, as the Presiding Officer of the Labour Court constituted as fore-said

[F. No. S.11020/4/81 DIA]

L. K. NARAYANAN, Under Secy.

प्रमाण-पत्र

नई दिल्ली, 31 मई, 1982

क्रा० आ० 2196—प्रमाणित गिया जाता है कि केन्द्रीय सरकार ने, आन अधिनियम, 1952 (1952 का 35) की धारा 82 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के अम मंत्रालय के प्रमाणपत्र मा० क्रा० 2244, तारीख 6 अगस्त, 1981 को अधिकारीना करते हुए, यह निनिध्य किया है कि असम गवर्नर के जिला नियमाला में नाहरकांडा विभाग, हारीगंग और डुग डुमा और जिला नियमाला में मोरान पथा प्रदण्डाल प्रदेश राज्य के जिला नियाय में निराल में लेन्ड्रीत्रे में मैनर्म अधिकारी इंडिया लिमिटेड के स्वामित्वाधारान बेल सम्हृण करते उक्त अधिकारी के अर्थात् ग्रान्ट जाता है।

[मं० एम० 29013/2/81-खान 1)

बी० अ० देशमुख, सचिव

CERTIFICATE

New Delhi, the 31st May, 1982

S.O. 2196—This is to certify that, in exercise of the powers conferred by section 82 of the Mines Act, 1952 (35 of 1952) and in supersession of the certificate of the Government of India in the Ministry of Labour No. S.O. 2244, dated the 6th August, 1981 the Central Government have decided that the Oil Collecting Stations, owned by M/s. Oil India Limited in the Oilfields of Naharkatiya Extension, Hungrijan and Dumbuma in District Dibrugarh and Morigaon in Sivasagar District

of the State of Assam and in Ningru in District Tinsukia of the State of Arunachal Pradesh are mines within the meaning of the said Act.

[No. S-29013/2/81-MI]

B. G. DESHMUKH, Secy.

New Delhi, the 27th May, 1982

S.O. 2197.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay, in the industrial dispute between the employers in relation to the management of Messrs Vaz Forwarding Private Limited, Bombay and their workmen, which was received by the Central Government on the 18th May, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, AT BOMBAY

Reference No. CGIT-2/12 of 1980

PARTIES :

Employers in relation to the management of Messrs Vaz Forwarding Private Limited, Bombay.

AND

Their Workmen.

APPEARANCES :

For the Employers.—Shri H. M. Vakil, Advocate.

For the Workmen.—Shri M. E. Lobo, Advocate.

INDUSTRY : Ports and Docks STATE : Maharashtra.

Bombay, the 24th April, 1982

AWARD

(Dictated in the Open Court)

In exercise of the powers conferred under Section 10(1)(d) of the Industrial Disputes Act, 1947, the following points have been referred to for adjudication viz.,

“Whether the action of the management of Messrs Vaz Forwarding Private Limited, Clearing and Forwarding Agents, Bombay in discharging from service Shri L. B. Thorat, Clerk, with effect from the 6th August, 1979 is in order? If not, to what relief is the concerned workman entitled?”

The incident in question which is alleged to have given rise to the charge, the enquiry and the order of removal from service, is stated to have occurred on 16-2-1979, when the delinquent workman viz. Shri Thorat who was in service of M/s. Vaz Forwarding Private Limited as a Dock Clerk according to the charge, removed the keys of the car of an Officer serving with the same company, by name Shri M. Lobo, thus causing annoyance and waste of time. On the very day i.e. 16-2-1979 Shri M. Lobo reported the matter to the Managing Director of the Company, whereupon a Memo was issued to the Dock Clerk. However, when till 16-3-1979 no action was taken against the workman, he addressed a letter to the company requesting to proceed in the matter to enable him to establish the falsity of the charges or the version, with the result that on 21-4-1979 a chargesheet was served on him incorporating in all three charges out of which first three charges were as follows :

- Shri Thorat removed the car keys of Shri M. Lobo, Dock Supervisor, without his knowledge and permission at about 10 a.m. on 16-2-1979 and he did not return them inspite of requests and pleadings. Thus he put Shri M. Lobo to harassment, inconvenience and was responsible for wasting his valuable office time;
- Shri Thorat was in the habit of abusing and using bad words to the Officers/Staff members in the office during office hours;

(3) Shri Thorat behaves rudely, disorderly and indecently with his superiors and other staff members. He has not cared to improve his behaviour in spite of requests and warnings.

There is also a fourth charge but since the same has not been said to have been established, no reference to the same is called for.

An enquiry was held by Shri T. A. Ghosal who was appointed as an Enquiry Officer before whom Shri Kotian represented the company while the defence was represented by Shri Shaikh the Union representative. The workman also participated in the cross-examination of the management's witnesses.

In order to establish the charges besides the evidence of Shri M. Lobo three witnesses were cited i.e. Shri Gomes, Shri S. Lobo and Shri Sadavarte, against which the defence relied upon the statement of Shri Thorat the workman in question and also adduced the evidence of Shri Ghodgekar and Shri Ghorpade the colleagues of the workman serving in the same office.

Shri S. Lobo, Shri Gomes and Shri Sadavarte said about the removal of the keys from the custody of Shri M. Lobo on 16-2-1979, while Shri S. Lobo was on the point of the alleged misbehaviour of the workman and his habit of abusing and using bad language during the office hours. Even Shri Lobo and the other witnesses also stated the same story. The delinquent workman however, denied all the allegations, he denied to have removed the keys and also denied to be in the habit of using bad language towards his colleagues or officers. The two witnesses cited on his behalf supported him. These witnesses, at the same time spoke about the approach of Shri M. Lobo and his enquiry about the car keys on the day of incident when according to them the workman denied having any knowledge thereof.

On going through the evidence, the Enquiry Officer held the first three charges substantiated and reported the matter accordingly on 20-7-1979, on the strength of whose findings by an order dated 6-8-1979, the Director of Vaz Forwarding Private Limited discharged the workman from service with one month's salary in lieu of notice and all other legal dues, if any.

Since the matter has now been referred to under Section 11A of the Industrial Disputes Act, the evidence will have to be perused to satisfy this Tribunal, whether the conclusions arrived at by the Enquiry Officer on whose conclusions the final order came to be passed were proper and supported by the material on record and it shall also have to be seen whether the punishment awarded was disproportionate to the charges established or could be said to be proper.

For this purpose the evidence has to be perused. Now the first charge against the workman was that he committed theft of the keys of Shri M. Lobo by removing them from the table, he failed to return these keys despite repeated requests and thus caused harassment, inconvenience and was responsible for waste of time etc. The fact of removal of keys by the workman has been denied, but on going through the evidence of Shri S. Lobo, Shri Gomes and Shri Sadavarte who happened to be present at the relevant time, I am convinced that those keys must have been removed by Shri Thorat as contended by the witnesses. There are some discrepancies as to whether the keys were on table or in the pocket of Shri M. Lobo, but no importance can be given to such a discrepancy particularly when it is noticed from the evidence of defence witnesses also that Shri M. Lobo was complaining of loss of keys and had immediately approached the workman asking for the keys. It was argued that Shri Sadavarte and Shri Gomes were working under Shri Lobo but in that way being Officers of the company, the clerical members of the company including the workmen must be working under him and only from Shri Lobo being Officer, no conclusion is possible that the witnesses cited viz Shri Gomes and Shri Sadavarte would have said something not true.

Although the removal of the keys stands sufficiently established, it would not lead to an inference of theft of the car keys as deduced by the Enquiry Officer. To allege the

commission of theft, besides removal, something more is necessary viz. dishonest intention which in the instant case is completely lacking. It seems from the evidence of the witnesses themselves, the workman in question was indulging in pranks and cutting jokes at the physique of Shri M. Lobo and this seems, was going on for several days if not years. If as a mad frolic the keys were removed, it would not be an act of pilfering though the annoyance and harassment is bound to be there. After all they were car keys which by themselves would have been of no use to the workman unless he also removed the car which is nobody's case. Therefore, though there was loss on one side, there could not have been any gain on the other and in the absence of these together, the indictment of theft would not be possible. Considering the past history disclosed by Shri M. Lobo, I am convinced, even on 16-2-1979 Shri Thorat must not have any other intention than to just play a prank, but the whole event took a serious turn when despite the repeated attempts, the keys were not returned and Shri M. Lobo was required to report the matter to his superiors. Therefore, though the evidence as it stands is acceptable, such is not the case with the resultant conclusion viz. of theft of keys.

The self-same witnesses cited on behalf of the company also state of the alleged bad behaviour viz. using of bad and abusing language but there are certain omissions given by the very witnesses which lessens the gravity of the accusation. Shri S. Lobo in cross-examination has stated, when asked how are the relations with Shri Thorat, that they are great friends, they exchange abuses and hot arguments in a sportive manner, and it is further stated that this is done with an intention of improving the workman's behaviour and get up. There was also another question put viz. whether Shri Thorat was keeping good relations with the staff members to which query the answer was "in general he is keeping good relations with fear". What is meant by word 'fear' is not possible to catch, but then the reply remains that overall his relation were good. Even Shri Sadavarte another witness of the company has stated that Shri Thorat is okay at times but almost every day he starts his fooling and mischief with him. Then he says that he i.e. Shri Thorat fiddles with his papers and fools him and further that he directs his abuses against all. The witnesses cited by Shri Thorat, however, vouch the good conduct in general.

On going through various admissions and assertions it seems that the workman concerned even in the past must be exchanging abuses and indulging in pranks but this does not seem to be a unilateral act on his part but atleast from the admissions of Shri S. Lobo and Shri Sadavarte, it must be a bilateral action indulged in, if not by all the members of the staff at least by some of them. When the evidence of the defence witness and that of the company's witnesses is read, the only inference it leads to is that Shri Thorat must be in the habit of exchanging abuses or playing pranks against those members of the staff who must be responding in the same manner while in the case of defence witnesses they seem to be having no such cause or grievance.

However, though I am holding accordingly and although the charge No 3 refers to oral requests and warning in the past, there is no record to indicate that the management in the past was required to intervene or was constrained to take any action or cognisance. It is common knowledge that when the duties are of arduous nature, to vent the pressure sometimes the workmen indulge in such behaviour, but it is never taken seriously by the superiors or the colleagues. This must have happened here also because it was only on 16-2-1979 for the first time when the matter flared up on account of loss of keys, that the management wrote a memorandum addressed to the workman cautioning him that they will be required to take drastic action against him. The last para of the memo reads, "the above complaints have been viewed by the management very seriously and in case you do not improve your behaviour the management will take drastic action against you and may also debar you from entering into the godown in future. In the meantime you are called upon to surrender customs pass immediately." Before that there is a reference of use of bad language and abuses to the staff members, labourers etc. It is, therefore, evident that had the act of the workman reached the stage of misconduct in the past i.e. prior to 16-2-1979, some reaction on the part of management could have been noticed

which we do not find there but the same is to be found for the first time on 16-2-79. Even then, it is material to note that the management did not take any action for almost one month, except of collecting the entry pass from the workman and it was only after 16-3-1979 when the workman threw gauntlet that the chargesheet dated 26-4-1979 was issued. The reaction of the management when taken into account and when the same is read in the light of admissions and other material on record, although there is every reason to believe that the workman was indulging in exchanging abuses and hot words, this had not reached the serious proportion and therefore till then was ignored by the management.

The result of the above discussion would be that so far of the charge no. 1 is concerned there is a proof of removal of the car keys but the said removal does not amount to commission of the act of theft but seems to have been done as a sort of indulging in frolicking as seems to be the workman's practice.

Similarly, though there is the proof of user of bad and hot language by the workman, this was against those who were either responding or retaliating or addressing and therefore was not an unilateral act on the part of the workers in question.

Even if the conclusion thus stand diluted, the fact is that Shri Lobo was put to great inconvenience and must have resulted in wasting office time. Similarly, there is sufficient proof to hold that the workman must be indulging in abusing and bad language, though there is nothing on record to indicate rude, disorderly, indescent, highly derogatory behaviour nor there is any proof of the past memos, warning or request. Even then the ingredients above referred to would certainly amount to misconduct though not that seriously misconduct for which the opponent had to face enquiry.

Once we find that there is misconduct on the part of the workman, the punishment must follow but that punishment can never be the punishment as awarded by the management even though instead of dismissal the order speaks of discharge with one month's notice pay etc. There is every reason to believe that the management wanted to caution the workman and for the first time wrote the letter, dated 16-2-1979, i.e. the date of incident, but without giving any opportunity for improving, it was decided to part with the company. When viewed in the proper perspective facts as disclosed in the evidence, I am convinced that the punishment like censure or withholding of increments or even awarding fine could have been sufficient.

When normally such a conclusion is arrived at, reinstatement is a natural corollary. However, having regard to the conduct and behaviour of the workman and his habits, I do not think he is such a workman whom anybody would like to work under him. There is always a limit even for pranks and user of bad language and if as a result of the prank, an Officer of the company was harassed or his time was wasted, such a conduct cannot be watched helplessly by the management. Therefore, having regard to the fact that the field of the activities of the company is in the Docks which normally is a prohibited area, where no-body is allowed to enter without pass, and having regard to the other factors already referred to, this is not a case where reinstatement can be ordered but the compensation would be the adequate relief. It is not that I am putting the premium on the misconduct of the workman by saddling the company with compensation money but the liability is saddled to avoid the reinstatement. There cannot be a yard stick for the quantum of compensation amount but considering the fact that the workman was receiving Rs. 700/- as salary per mensem, was in service for around 14 years, yet is young and capable of serving somewhere else, in my view a compensation amount of Rs. 20,000/- would be adequate besides which the workman would be entitled to get all the

dues as if retrenched under Section 25F of the Industrial Disputes Act.

Award accordingly.

M. A. DESHPANDE, Presiding Officer

[No. L-31012(5)/79-D. IV(A)]

New Delhi, the 29th May, 1982

S.O. 2198.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of Messrs H. Mangaldas and Company, Custom Licensed Clearing and Forwarding Agents, 12, Nazir Building, Calicut Street, Ballard Estate, Bombay-400038 and their workmen which was received by the Central Government on the 25th May, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Reference No. CGIT-10 of 1979

PARTIES :

Employers in relation to M/s. H. Mangaldas & Company, Bombay.

AND

Their workmen.

APPEARANCE :

For the Employers—Mr. P. R. Baldota, Advocate Mr. T. Ramakrishna, Advocate

For the Workmen—Mr. S. R. Wagh, Advocate.

INDUSTRY : Ports and Docks STATE : Maharashtra

Bombay, the 30th day of April, 1982

AWARD

The Government of India, Ministry of Labour by order No. L-310113/79-D.IV(A), dated 19th November, 1979, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), have referred to this Tribunal for adjudication an industrial dispute between the Employers in relation to M/s. H. Mangaldas & Company, Bombay, and their workmen in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the following demands of the workmen of Messrs H. Mangaldas and Company, Custom Licensed Clearing and Forwarding Agents, Bombay are justified? If so, to what relief are the concerned workmen entitled and from what date?

Demands :

1. Increase in wages with proper scales,
2. Dearness Allowance,
3. House Rent Allowance, and
4. City Compensatory Allowance".

2. The employer concerned in this dispute is a Custom Licensed Clearing and Forwarding Agents at Bombay Port. There are about 370 such Clearing and Forwarding Agents. These Agents have their Association under the name 'The Bombay Custom House Agents' Association' (hereinafter referred to as the "Association"). The employer is a member of the said Association.

3. The Transport and Dock Workers' Union, Bombay (hereinafter referred to as the "Union") has filed the state-

ment of claim on behalf of the workmen of the employer. It is stated that these 370 Clearing and Forwarding Agents employed about 3500 workmen, who are engaged in connection with the clearance of goods to and from the Bombay Ports. It is further stated that the Union by its letter dated 1st July, 1977 served charter of demands on all the Custom Licensed Clearing and Forwarding Agents of Bombay, including the employer, on behalf of their workmen. The charter of demands is annexed as exhibit W-A to the statement of claim. Majority of the Agents requested the Union that the said charter of demands may be discussed with their Association. Accordingly, several meetings took place between the representatives of the Association and the Union. But, there was no settlement. The workmen went on strike to press their demands from 29th January, 1978. The strike was called off after the intervention of the Conciliation Officer (Central), Bombay. It is further stated in this statement of claims that the Association on behalf of their members signed a settlement with the Union on 26th January, 1978. The said settlement is annexed to the statement of claim as exhibit W-B. Majority of the Agents have accepted and implemented this settlement. It has come into force with retrospective effect from 1st April, 1977.

4. It is alleged further that the employer in this Reference refused to implement the settlement. The Union vide its letter dated 24th February, 1979 (exhibit W-C) requested the employer to implement the said settlement. But, in spite of the intervention of the Regional Labour Commissioner (C), Bombay, as a Conciliation Officer, the dispute could not be resolved amicably. The Regional Labour Commissioner (C), therefore, submitted his failure report to the Government on 7th September, 1979. It is alleged that the workmen of this employer are paid consolidated wages, which are much less than the wages paid to same categories of workmen employed by other Clearing and Forwarding Agents in Bombay. The Union, therefore, submitted that an Award be made on the terms of the said settlement (exhibit W-B) which are covered all the four demands of the workmen.

5. The employer have filed written statement opposing the demands made by the Union. It is stated that the Company had in its employment on the date of the Reference i.e. 19th November, 1979, only one workman and on the date of the written statement it has one workman only. The said workman has no dispute with the Company in connection with his conditions of service. No industrial dispute therefore exists which can be adjudicated by this Tribunal. The Company requests that this preliminary point be tried as a preliminary issue. On merits it is stated that the Company is not served with the letter dated 1st July, 1977, and is not aware of the alleged letter served on the Association. It is alleged that the Company has not authorised or requested the Association to negotiate on its behalf with the Union at any time. Out of seven workmen employed by the Company only one workman continues to be in the employment of the Company. The other four workmen resigned and two workmen abandoned the services of the Company before this Reference. The settlement said to have been arrived at between the Association and the Union is not binding on all the Agents. It is not binding on the Company. The Company submits that the demands made by the Union are exorbitant and cannot be borne by a small Partnership firm such as the Company which employed only one workman. The Company, therefore, prayed that the Reference be rejected. Mr. Baldota, the learned counsel for the employer-Company, submitted that the workman in his employ had not sent any specific demand to the Company. No dispute in fact, therefore existed. He submitted that mere demand to the Government or Conciliation Officer without raising a dispute with the employer is not an industrial dispute.

6. Now, Mr. Wagh for the Union submits that the Union by its letter dated 1st July, 1977 (exhibit W-A) served charter of demands on all the Custom Licensed Clearing and Forwarding Agents of Bombay, including the employer-company, on behalf of their workmen. Now, on the date of hearing Mr. Wagh produced "under postal certificate receipt" and submitted that this receipt was obtained from the postal authorities when the charter of demands was sent to the Custom Agents, including the employer-company. This receipt bears the date of 5-7-1977. The Company denies that such a communication was received by it. Now, none has been

examined on behalf of the Union to say that the communications mentioned in this under postal certificate receipt were sent to the employer-company and that communication was the charter of demands dated 1st July, 1977 (exhibit W-A). In the absence of such evidence it is difficult to rely upon mere under postal certificate receipt. That certificate does not show that communication was addressed to the employer-company.

7. Now, in the case of Andrew Yule & Co. Ltd. v. Fifth Industrial Tribunal of West Bengal (Indian Factories and Labour Reports Vol. 29 page 280 of 1974) the Calcutta High Court has observed :—

"If no dispute at all has been raised by the workmen with the Management any request sent by them to the Government would only be a demand by them and not an industrial dispute between them and their employer. A mere demand to a Government, without a dispute being raised by the workmen with their employer, cannot become an industrial dispute.

The workmen must first raise a demand on the Management and in the absence of any such prior demand there cannot be industrial dispute which can be said to arise and exist. Even if a demand is made to a Conciliation Officer, and the communication by him to the Management cannot constitute an industrial dispute".

8. Mr. Baldota also relied upon the decision of the Supreme Court in the case of Sindhu Resettlement Corporation Ltd. v. Industrial Tribunal, Gujarat (1968 I. LLJ p. 834). Their Lordships of Supreme Court have made similar observation as are to be found in the decision of the Calcutta High Court. In fact, the Calcutta High Court relied upon the observations of the Supreme Court in the case of Sindhu Resettlement Corporation Ltd. v. Industrial Tribunal, Gujarat.

9. Except the under postal certificate receipt the Union has not adduced any evidence to show that the workmen of the employer-company had made demands on the employer. In view of this position it will have to be held that no industrial dispute existed before the Government made a reference in this case.

10. Coming to the merits, the Union has not adduced any evidence in justification of the demands which are the subject matter of this Reference. That is stated in the statement of claim is that the workmen of this employer-company are paid consolidated wages which are much less than the wages paid to same categories of workmen employed by other Clearing and Forwarding Agents in Bombay. Admittedly, this employer-company has not accepted the settlement arrived at by the Union with the Association. The employer-company submits that it is a small Partnership firm which employed only one workman and the settlement arrived at by some Agents with the Union cannot be made applicable to the company. In fact, the said agents cannot be compared with the Company. The employer has placed on record an affidavit of its only employee. In that affidavit, the employee states that he has no dispute or difference with the company in connection with his conditions of service. It is true that the Reference cannot be rejected on the sole ground that the only workman of the employer-company states that he has no dispute or difference with the employer-company. However, the Union has not adduced any evidence to show the financial capacity of the employer-company and to justify its demands that an Award be made in terms of the settlement arrived at with the Association. It is an admitted position that all the Custom Licensed Clearing and Forwarding Agents have not accepted that settlement. It will be seen from the text of the settlement which is at exhibit W-B that the association was to recommend to its members to sign an agreement with the Union on the terms agreed between the Union and the Association. Admittedly, this employer-company has not signed the agreement. The burden was, therefore, on the Union to adduce evidence to show that the employer-company had financial capacity, to accept the terms agreed between the Union and the Association as regards the pay scales and other allowances.

11. As no industrial dispute existed at the time when the Reference was made, the Reference will have to be held to be incompetent. On merits also there is no evidence adduced by the Union to justify the demands. The Reference, therefore, is rejected.

12. Award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer
[No. L-31011(3)/79-D.IV(A)]
T. B. SITARAMAN, Desk Officer

आदेश

नई दिल्ली, 26 मई, 1982

का० आ० 2199.—केन्द्रीय सरकार की राय है कि इसमें उपाखड़ अनुसूची में विनिविष्ट विवाद के बारे में मिनरल एक्स्प्लोरेशन कार्पोरेशन लिमिटेड के प्रबंधनत्व से सम्बद्ध एक औद्योगिक विवाद नियोजित को और उनके कर्मकारों के बीच विवादान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना बाधकीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1917 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीटासीन अधिकारी श्री जे० एम० महापाला होगे, जिसका भूल्पलय ध्रुवनदीश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णय के लिए निर्देशित करती है।

अनुसूची

यहा मिनरल एक्स्प्लोरेशन कार्पोरेशन लिमिटेड के प्रबंधनत्व की 1. श्री हॉ० मन्त्यनारायण, स्टोर कॉपर, पचमतमली बाक्साईट प्रोजेक्ट, को 30-12-1978 से सेवामुक्त करने की ओर 31-12-1978 से 13-4-1980 तक बेरोजगार रखने की ओर

2. श्री डी० मन्त्यनारायण, बैथमाली बाक्साईट प्रोजेक्ट में कामगार की सेवाओं को 19-3-1981 से फिर समाप्त करने की कार्रवाई न्यायीकृत है? यदि नहीं, तो कामगार किन अनुतोषों का हक्कार है?

[न० ए० 43012/6/81-डी० 3 बी०]

ORDER

New Delhi, the 26th May, 1982

S.O. 2199.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Mineral Exploration Corporation Limited, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mahapatra shall be the Presiding Officer, with headquarters at Bhubaneshwar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of mineral Exploration Corporation Limited :—

- in terminating the services of Shri D. Satyanarayanan, Store Keeper, Panchpatmali Bauxite Project with effect from 30-12-78 and keeping him unemployed during the period 31-12-78 to 13-4-80 and
- in again terminating the services of Shri D. Satyanarayanan workman of their Bathmali Bauxite Project

with effect from 19-3-81 is justified. If not, to what relief is the workman entitled?

[No. L-43012(6)/81-D. III(B)]

आदेश

नई दिल्ली, 27 मई, 1982

का० आ० 2200—केन्द्रीय सरकार की राय है कि इसमें उपाखड़ अनुसूची में विनिविष्ट विवाद के बारे में तेल एवं प्राकृतिक गैस आयोग, मेहसाना प्रोजेक्ट के प्रबंधनत्व से सम्बद्ध एक औद्योगिक विवाद नियोजित को और उनके कर्मकारों के बीच विवादान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना बाधकीय समझती है;

यतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीटासीन अधिकारी श्री जी० एम० बारोट होंगे, जिसका भूल्पलय ध्रुवनदीश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णय के लिए निर्देशित करती है।

अनुसूची

“या तेल एवं प्राकृतिक गैस आयोग के भेदभाना प्रोजेक्ट के प्रबंधनत्व की श्रीमती नाथीबेत कालीशास सोसाकी को 1980 में सेवामुक्त करने की कार्रवाई न्यायीकृत है? यदि नहीं, तो कामगर किस अनुतोष की हक्कार है?”

[न० ए० 30011/1/82-डी० 3 बी०]

ORDER

New Delhi, the 27th May, 1982

S.O. 2200.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Oil and Natural Gas Commission, Mehsana Project and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G.S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Oil and Natural Gas Commission, Mehsana Project in terminating the Services of Smt. Nathiben Kalidas Solanki in the year 1980 was justified. If not, to what relief is the workman entitled?

[No. L-30011(1)/82-D. III(B)]

New Delhi, the 29th May, 1982

S.O. 2201.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Diwan Lime Company in respect of Amilia Limestone Mine, Maihar, District Satna and their workmen, which was received

by the Central Government on 25th May, 1982.

BEFORE JUSTICE SHRI S.R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(11)/1979

PARTIES :

Employers in relation to the management of Diwan Lime Company in respect of Amilia Limestone Mine, Maihar, District Satna and their workmen represented through the Samyukta Khandan Avam Choona Kamgar Union, Pranami Mandir, Satna (M.P.)

APPEARANCES :

For Union—None

For Management—Shri V. B. Rai, Advocate.

INDUSTRY : Limestone

DISTRICT : Satna (M.P.)

AWARD

Dated : May 13, 1982

The following dispute was referred to this Tribunal for adjudication by the Government of India in the Ministry of Labour vide Notification No. L-29011/1/79-D. III. B Dated 30th May, 1979 :—

"Whether the following demands of the workmen raised by Samyukta Khandan Avam Choona Kamgar Union, Maihar Branch against the management of Diwan Lime Co. in respect of Amilia Limestone Mine Maihar, District Satna are justified? If so, what relief the workmen are entitled to ?

- (1) Payment of Bonus for the accounting year 1977 at the rate of 20 per cent.
- (2) Payment in respect of tubs at higher than 1 tonne.
- (3) Issue of attendance cards."

2. The claim of the workmen as per their statements of claim is that in the accounting year 1977 the Company i.e. Diwan Limestone Company, hereinafter referred to as the Company had earned huge profits; that another sister concern of the Company by name M/s S. N. Sunderson run by the same Directors had paid a bonus of 20 per cent; that the workmen working in the Company are exploited; that the huge profits earned by the sister concern are due to the hard work done by the workmen and that so far as this Company is concerned Bonus should have been paid at the rate of 20 per cent and not at the statutory minimum rate of 8.33 per cent.

3. The second claim of the workmen is that while loading the tubs the capacity is exceeded from 1 tonne to more than 1 tonne; that payment is made only for the loading of 1 tonne and that this practice on the part of the Company is also an unfair labour practice.

4. Last claim of the workmen is that though they are working as labourers under the management of the Company yet they are not given attendance cards.

5. In reply to these demands the written statement of the Company is that the reference was made while the matter was pending in conciliation proceeding; that the Union which has raised this dispute is not a representative Union of the workmen that according to the Balance Sheets of Profits and Loss Accounts there is no available surplus for paying more than the minimum as required by the Bonus Act i.e. 8.33 per cent; that payment made by any other Company @20 per cent is not at all relevant and that in the light of the Profit and Loss Accounts of the Company a higher rate of Bonus is not at all possible.

6. With regard to the claim for overloading the tubs, it is stated that tubs are loaded only upto to the prescribed capacity; that during conciliation proceedings here was physical verification and by weighing four tubs of 1 tonne each the total weight was found to be 4 tonne 40 Kgs. only which only a marginal increase and does not indicate overloading to the extent alleged by the workmen.

7. As regards the claim for attendance cards, the Company has conceded that attendance cards have been duly issued to the workers and this fact is borne by the minutes of discussions dated 20-2-1979 in the conciliation proceedings.

8. As per order dated 6-2-1980 the question raised in the order of reference were detained as the main issues for adjudication in this reference.

9. Though several opportunities were given to both the parties yet except the documentary evidence filed in this case no oral evidence was given. Consequently, evidence of both the parties was closed on 5-4-1982 and the case was fixed for final arguments on 10-5-1982 on which date Shri Rai, advocate, appeared for the management and Shri L. N. Malhotra, Advocate, who appeared for the workmen made an application that as he has no instruction in this case from the workmen he be permitted to withdraw. In these circumstances, arguments of Shri Rai was heard and the case was closed for award.

10. In this case, it is an admitted fact that the management has paid the minimum Bonus @ 8.33 per cent provided by the Bonus Act. The burden was on the workmen to prove that there was available surplus with the management for payment of Bonus at a rate of higher than the minimum prescribed by law. Balance-sheets for the account year 1977 have been filed. The workmen have not challenged the correctness of these Balance-sheets which have been duly audited and certified by the Chartered Accountant. When the management has placed an audited Balance-sheet of the Profits and Loss Accounts before the Court, the workmen, if they so desired, could challenge the correctness of these Balance-sheets by calling the accounts books and showing that the Balance-sheet is not in accordance with the actual accounts of income and expenditure of the Company. As already stated, no oral or documentary evidence has been given by the workmen to hold that the Balance-sheets are not as they purport to be. Consequently, as held in 1957 Calcutta p. 500 National Carbon Company Vs. Labour Court, the burden which was on the workmen has not been discharged. In view of the fact that the Company has paid the minimum bonus as required by law no further additional liability can be placed on the management unless the workmen were able to show that what has been paid is disproportionate to the profit earned by the Company.

11. The contention of the workmen that a sister concern of the Company had paid more bonus is of no relevance. When there is another incorporated Company with separate legal entity and has separate profits and loss accounts of its own the rate of bonus paid by the Company cannot be the guiding factor for determining the rate of bonus payable by the Company in this case. Accordingly even assuming that M/s. S. N. Sunderson has paid bonus @ 20 per cent would not justify the demands of the workmen for payment of bonus at the same rate by this Company also. Accordingly, so far as the first demand of the workmen for payment of bonus higher than 8.33 per cent is concerned, it cannot be accepted.

12. The second demand of the workmen is that though the tubs of more than 1 tonne capacity are being loaded yet they are paid for loading a weight of 1 tonne only. In support of this question, no oral evidence has been given. The management, however, relies on the minutes of discussions between the Asstt. Labour Commissioner and the representative of the workmen dated 10-12-1978 in which in a random checking of the weight of 4 tubs it was found that the total weight was 4 tonne 40 Kgs. The excess weight was found to be nominal and negligible and was attributed to contents of small sized stones i.e. chippings. So far as the workmen are concerned, they have not come forward to pledge their oath and say that the tubs loaded carry a load of more than 1 tonne except for the marginal increase indicated in the minutes mentioned above. When limestone is loaded in tubs such marginal variations are bound to

occur but the variation is not such a nature as to justify an increase in the loading rates. I am, therefore, clearly of the opinion that payments made in respect of 1 tonne per tub by the management is quite justified.

12. So far as the third demand regarding issuing of attendance cards is concerned, it was conceded in the conciliation proceedings and conceded before this Tribunal also that if attendance cards are not issued then they shall be issued in accordance with the prescribed rules.

13. Accordingly for the reasons given above, it is held—

- (1) that the demand for payment of bonus for the accounting year 1977 @20 per cent raised by the workmen through the Samyukta Khadan Avam Chona Kamgar Union, Maigar, District Satna, against the management of Diwan Lime Company in respect of Amilia Limestone Mine, Maigar, District Satna, is not justified.
- (2) That payment made by the company for loading/tubs on the basis of load of one tonne is proper and the demand of the workmen for increased payment is not justified.
- (3) that the management of the said Company shall issue attendance cards to the workmen, if not already issued.

In the circumstances of the case, both the parties are directed to bear their own costs as incurred.

S. R. VYAS, Presiding Officer
[No. L-29011/1/79-D.III.B]

S.O. 2202.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Messrs Sreeram Durgaprasad Ores Pvt. Limited, Tumsar and their workman, which was received by the Central Government on 25th May, 1982.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)
Case No. CGIT/LC(R)(71)/1980

PARTIES :

Employers in relation to the management of M/s. Sreeram Durga Prasad Ores (Private) Limited, Tumsar and their workman, Shri Ganpat Bisauji Meshram, Village Bhandarbodi, Post Bhandarbodi, Tah. Ramtek, District Nagpur (M.S.).

APPEARANCES :

For workman—None.

For Management—Shri S. J. Chawda, Advocate.

INDUSTRY : Manganese. DISTRICT : Nagpur (M.S.)

AWARD

Dated, May 12, 1982

The following dispute was referred to this Tribunal for adjudication by the Central Government in the Ministry of Labour vide Notification No. L-27012/2/80-D.III(B), dated 17th November, 1980 :—

“Whether the action of the management of Messrs Sreeram Durgaprasad Ores Private Limited, Tumsar in denying the work to Shri Ganpat Bisauji Meshram workman with effect from 15-2-80 in their Bhandarbodi Manganese Mine is justified? If not, to what relief the concerned workman is entitled?”

2. Briefly stated facts giving rise to the reference are as under :—

M/s. Sreeram Durga Prasad Ores Ltd, Tumsar, hereinafter referred to as the Party No. 1 are the owners of the Manganese Mine of Bhandarbodi Tahsil Ramtek, District Nagpur. Shri Ganpat Bisauji Meshram, workman concerned, hereinafter referred to as the Party No. 2 was an employee of this mine of Party No. 1. According to the workman, he was given some breaks during the course of his employment and finally on 15-2-1980 he was not allowed to work and was consequently removed from service. Regarding the incident of 14-2-80 the workman contends that he was confined to mines upto 9 p.m. and was under threat, forced to put his signatures on a paper the contents of which are not known to him. Lastly, the workman contends that the management treats the aforesaid paper as a letter of resignation as a defence to his removal from service. A prayer is accordingly made for reinstatement of the workman with all consequential benefits.

3. The claim of the management is that the workman was employed to do earth work and extract manganese ore from the mine. The plea of some breaks in the employment is denied. With regard to the termination of employment, the contention of the Party No. 1 is that the workman initially came on 27-12-1979 and worked upto 14-2-1980 when he resigned with effect from 15-2-1980. Prior to that he had also worked from 3-5-79 to 21-3-1979. The allegations regarding threats, force or coercion for obtaining the letter of resignation are also denied by Party No. 1. It is further alleged that it was a voluntary letter of resignation submitted by the workman, Party No. 2, which was accepted by Party No. 1 and all accounts upto the date of resignation were settled by payment of Rs. 60 which in fact was more than what was due to the workman. By way of amendment Party No. 1 further submitted that after the employment was came to an end by voluntary resignation the workman had gainfully employed at some other place and in the event of order of reinstatement the workman would not be entitled to the benefits of back wages.

4. No special issues were framed in this case. Accordingly the main issue which arises for consideration in this case is as follows :—

ISSUES

1(a) Whether the management i.e. Party No. 1 proves that the workman, Party No. 2, Shri Ganpat Bisauji Meshram had voluntarily resigned from the service on 14-2-80 ?

(b) If not, to what relief is the workman entitled to ?

5. Oral and documentary evidence have been given in this case by the parties in support of their respective contentions. Having considered the evidence given by both the parties my findings on the aforesaid issues are as under :—

1(a) :—Party No. 1 has proved that the workman, Shri Ganpat Bisauji Meshram, Party No. 2, had voluntarily resigned on 14-2-80 and received Rs. 60 in full and final settlement of his accounts.

1(b) :—The workman, Party No. 2, is not entitled to any relief in this case.

6. Before proceeding further to discuss the evidence and record reasons for the findings, it may be stated that upto some stage the workman participated in the proceedings and when the case was fixed for evidence on 11-5-82 the workman and his Counsel remained absent. Evidence was, therefore, recorded in the absence of the workman and his Counsel. Arguments were heard and award reserved.

REASONS :

7. The fact that the workman was employed at the mine of Party No. 1 is an admitted fact and on this question the evidence of the parties need not be discussed. The main question is as to whether on 14-2-1980 the workman tendered a voluntary resignation which was accepted and all the dues from Party No. 1 to Party No. 2 were paid.

8. The management has examined Shri Umrao Raoji Poonde (M.W. 1) and Shri Kachrulal (M.W. 2) and produced documentary evidence also. The workman has examined himself as W.W. 1 and Shri Govinda W.W. 2.

9. In his statement the workman has stated that on one of the working days he was called through the other workmen S/Shri Datta and Rai to the office where the Manager, Shri Arora, enquired as to who had assaulted Shri Punde. He denied the assault and narrated an incident of the preceding day. He was then, in the presence of some police officers coerced to settle his accounts and for that purpose he was detained in the office upto 10 P.M. He also referred to certain documents regarding the letter of resignation being executed under threat and coercion. He denied that he submitted the voluntary resignation. When Cross-examined by the management, he admitted that no notice was served by him after the incident but he met his Counsel and narrated the incident to him. An application Ex. M/1 was therefore made to the Conciliation Officer. When confronted with the letter of resignation Ex. M/2 and the receipt for payment Ex. M/3, he denied having received it. He, however, admits that he retained the amount of Rs. 60 because of the threat of being handed over to the police. The other witness Shri Govinda (W.W. 2) says that the workman was called to his office and he accompanied him. He then found that some clerks and police officers were present and the workman was being asked to sign some documents. As against this evidence given by the workman, the management has examined the aforesaid witnesses.

10. According to M.W. 1, Shri Umrao Raoji Poonde, it was on 14-2-1980 that the workman volunteered to submit his resignation and asked for the settlement of his accounts. He refers to the resignation letter Ex. M/2 and the receipts of payment Ex. M/3 which were voluntarily executed by the workmen. He denies that any police officer or any workman was present when the letter of resignation was tendered and the payment of Rs. 60 was made. M.W. 2, Shri Kachru Lal, is the Cashier of Party No. 1. He also referred to the resignation letter voluntarily tendered by the workman and the receipt of Rs. 60 by him.

11. As already stated above, none remain present to challenge the statements made by these two witnesses of Party No. 1. Ordinary, therefore, there is no particular reason as to why the evidence given by the witnesses of Party No. 1 should be disbelieved when the workman had not challenged their statements by any cross-examination. Ex. M/2 is admittedly signed by the workman. Similarly Ex. M/3 is also admittedly signed by him. According to both these documents resignation was tendered by the workman and thereafter he received Rs. 60 in full and final payment. Ex. M/1 is an application made by the workman to the Asstt. Labour Commissioner in conciliation proceedings. In this application there is not a single word with regard to the happening of 14-2-80. All that is alleged that the workman was removed from service. The application purports to have been made sometime in July 1980 i.e. about five months after the said letter of resignation was tendered. If there was any truth in the allegation of fraud, force, coercion etc. now raised by the workman then certainly the workman would have made a specific mention about them when the matter was seized before the Conciliation Officer on the workman's application Ex. M/1. In his cross-examination the workman admits that when the said application Ex. M/1 was made he had placed all the facts before his Counsel who drafted the said application. This material omission regarding allegation of fraud, force or coercion at the earliest opportunity is conclusively indicative of the fact that the workman after having tendered his resignation sought to raise certain false pleas only with a view to avail of an opportunity of securing an employment which he had voluntarily abandoned. On a comparative consideration of the oral and documentary evidence given by both the parties, I have therefore no hesitation in concluding that the pleas now raised by the workman against the pleas of the management of voluntary resignation are false pleas and cannot be accepted.

12. Accordingly, in my opinion, the oral and documentary evidence given by the parties establishes beyond any reasonable doubt that Ex. M/2 and Ex. M/3 the letter of resignation and receipt of Rs. 60 in full and final settlement of his accounts were voluntarily executed by the workman and the workman thereby himself resigned from the job. The workman, accordingly, cannot now complain that he was either stopped from working or removed from service and on that account he is entitled to any relief.

13. Issue No. 1(b).—In the light of the findings given on Issue No. 1(a) the workman is not entitled to any relief.

ORDER :—

14. Accordingly for the reasons given above, it is held that the workman, Shri Ganpat Bisauji Meshram was an employee of M/s. Sreeram Durgaprasad Ores Private Limited, Tumsar, had voluntarily resigned from the service of Party No. 1 vide Ex. M/2 and settled his accounts by receiving the payment of Rs. 60 vide Ex. M/3. As he was neither removed from service nor his services were terminated he is not entitled to any relief in this case. In the circumstances of the case, both the parties are directed to bear their own costs as incurred.

S. R. VYAS, Presiding Officer.
[No. L-27012/2/80-D.III.B]

S.O. 2203.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Mansar Manganese Mine of Manganese Ore (India) Limited, Nagpur and their workmen which was received by the Central Government on 25th May, 1982.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M. P.)

Case No. CGIT/LC (R) (11)/1981

PARTIES :

Employers in relation to the management of Mansar Manganese Mine of Manganese Ore (India) Limited, Nagpur and their workman Shri Gayatri Prasad Shukla, Checker, represented through the S.K.M.S. 44 Kingsway, Nagpur (M.S.).

APPEARANCES :

For Union—Shri P. K. Thakur, Advocate.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Manganese DISTRICT : Nagpur (M.S.)

AWARD

Dated : May, 13 1982

The following dispute was referred, by the Central Government in the Ministry of Labour, to this Tribunal for adjudication vide Notification No. L-27012/1/80-D. III.B dated 9th March, 1981 :—

“Whether the management of Mansar Manganese Mine of MOIL, Nagpur is justified in striking the name of Shri Gayatri Prasad Shukla, Checker from their rolls with effect from 26-11-79 ? If not, to what relief is the workman entitled ?”

2. Briefly stated the facts giving rise to this dispute are as under :

Shri Gayatri Prasad Shukla was employed as a Checker in the Mansar Manganese Mine of the Manganese Ore (India) Ltd., Nagpur, hereinafter referred to as the management. While being so employed he applied for three days casual leave and also for additional leave for 13 days upto 28-10-1979. Though this leave was sanctioned yet the workman did not report for duty on the expiry of leave. The contention of the workman is that while on leave he had gone to U. P. in the district of Jaunpur from where he forwarded an application for extension of leave from 29-10-1979 to 17-11-1979 on 26-10-1979. Along with his application he had also forwarded a certificate from the registered medical practitioner. This application was received in the office of the management on 17-11-1979 because of some postal delay. The workman, however, presumed that his application for extension of leave would be granted and as there was no intimation sent to him for rejecting his

application he had availed of leave upto the period applied for by him in his application dated 26-10-1979. The management however, treated the absence of the applicant from 29-10-1979 onwards as an unauthorised absence without sanction of leave and since this absence exceeded more than 14 days the management relying upon Clause 15(7) & 15(10) of the Certified Standing Orders treated the workman as having left the service of the management of his own accord and without any notice.

3. The management in reply to the claim made by the workman contends that no application was received from the workman within the prescribed period; that the medical certificate that was received sometime later after the prescribed period of 14 days and that the management was fully justified in treating the applicant as having left the job of his own accord. As already stated above, reliance is placed on Clause 15(7), 15(10) and 23(b) of the Certified Standing Orders. According to the management, if a workman remains absent without permission or overstays the period of leave originally granted or subsequently extended he shall lose his lien on his appointment unless he returns within 15 days from the date he absented or of the expiry of the leave and explains to the satisfactory of the management of his absence etc. etc. Since, according to the management, the workman overstayed the period of 15 days his name was struck off from the rolls of the employees and the workman was deemed to have left the job of his own accord.

4. No new points were raised in the rejoinders filed by the parties.

5. The management examined one witness and produced one document also in evidence. Till 27-1-1981 the workman appeared through his Counsel. Thereafter the workman and his Counsel remained absent. Permission was given to the workman to give his own evidence and also to cross-examine the management's witness examined in his absence. In spite of this order the workman neither led any evidence nor cross-examined the management's witness.

6. The main question to be decided in this case as to whether the management was justified in striking the name of the workman from their rolls with effect from 26-11-1979 and the second question would be what is the legal effect of such order passed by the management. In my opinion, the action of the management in striking out the name of the workman from their rolls, even on the facts and circumstances admitted by them, amounts to termination and consequent retrenchment of the workman which was not permissible under the provisions of the Industrial Disputes Act, hereinafter referred to as the Act.

7. The question that arises for consideration in this case was the subject of a number of decisions of their Lordships in Supreme Court where the contention of the management was that there was an automatic abandonment of employment by the workman the contention of the workman was that it was pure and simple retrenchment without due compliance of the provisions of Sec. 9A and Sec. 25F of the Act. All these decisions have been considered again in the latest pronouncement of their Lordships of Supreme Court in L. Robert D'Souza Vs. Executive Engineer, S. F. Railway (1982 AIR-SC, p. 854) in which it has been held that:—

"If termination of service of a workman is brought about for any reason whatsoever, it would be retrenchment except if the case falls within any of the excepted categories, i.e. (i) termination by way of punishment inflicted pursuant to disciplinary action; (ii) voluntary retirement of the workman; (iii) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; (iv) or termination of the service on the ground of ill-health. Once the case does not fall in any of the excepted categories the termination of service even if it be according to automatic discharge from service under agreement would nonetheless be retrenchment within the meaning of expression in S. 2(00). It must as a corollary follow that if the name of the workman is struck off the roll that itself would constitute retrenchment."

Their Lordships of the Supreme Court in the aforesaid case further held that:—

"In order to attract S. 9-A the change proposed must be in the conditions of service applicable to the workman in respect of any matters specified in the Fourth Schedule. If the proposed change falls in any of the matters specified in the Fourth Schedule the change can be affected after giving such notice. When a workman is retrenched it cannot be said that change in his conditions of service is effect. The conditions of service are set out in Fourth Schedule. No item in Fourth Schedule covers the case of retrenchment. In fact, retrenchment is specifically covered by item 10 of the Third Schedule. Now, if retrenchment which connotes termination of service, cannot constitute change in condition of service in respect of any item mentioned in Fourth Schedule, S. 9-A would not be attracted. If the change proposed does not cover any matter in Fourth Schedule Section 9-A is not attracted and no notice is necessary. It is, therefore, futile to urge that even if termination of the service of the petitioner constitutes retrenchment it would nevertheless be valid because the notice contemplated by S. 25-F would be dispensed with in view of the provision contained in S. 9-A, Proviso (b)."

8. In this case neither the oral evidence given by the management's witness, Shri Mahipal, nor the documentary evidence Ex. M/1 gives the slightest indication that before striking off the name of the workman from their rolls any action under S. 9A or S. 25F of the Act was taken. There was neither any notice nor any retrenchment compensation. Accordingly, it has to be held that the termination of the services of the workman were neither by way of punishment inflicted pursuant to any disciplinary action nor voluntary retirement of the workman nor retirement of the workman on reaching the age of superannuation nor the termination was on the ground continued ill health of the workman. If that was so the provisions of Sec. 2(00) of the Act could be clearly attracted and if the workman's name struck off the rolls on any ground other than those referred to above, it would constitute retrenchment. Similarly there was no compliance of Sec. 9-A of the Act. When that was so, the termination of the employment of the workman must be treated as having been brought about without the least compliance of the aforesaid sections of the Act.

9. In the light of the aforesaid decision, the question raised in this case do not admit of any other controversy and it must be held that the action on the part of the management in striking out the name of the workman from their rolls amounted to illegal termination of service which was brought about against the provisions of Sec. 2(00), Sec. 9-A and Sec. 25-F of the Act. Such an order which amounts to illegal termination of service cannot be maintained and is accordingly set aside.

10. The next important question is as to what is the nature of the relief which the workman is entitled to.

11. Once an order of termination is set aside it must as a necessary corollary follows that he is entitled to reinstatement. Whether the reinstatement should be with all benefits of back wages etc. is another incidental question which arises in this case.

12. In this case the workman has, however, not stepped in the witness box and explained as to how he remained employed or unemployed since after his name was struck off from the rolls of the management. If he had appeared, he could show that in spite of best efforts he could not secure an employment and was therefore entitled to full benefits of back wages. The management then could have had an opportunity to prove that he was gainfully employed since the date of his name being struck off from the rolls. In these circumstances, I deem it just and proper that there should be an order of reinstatement in his favour with continuity of service but without any benefit of back wages from 26-11-1979 upto the date of reinstatement.

13. Accordingly for the reasons given above it is held that the order of termination of the services of Shri Gayatri Prasad Shukla, who was employed as a Checker in the Mansar Manganese Mine of the Manganese Ore (India) Limited Nagpur in striking out his name from the roll, with effect from 26-11-1979 is illegal and is hereby set aside. The

management shall reinstate him on the post of a Checker. The workman shall not, however, be entitled to any back wages and all other benefits from 26-11-1979 till the date of reinstatement. On reinstatement his service shall be deemed to have been continued except for what has been said above. In the circumstances of the case, both the parties are directed to bear their own costs as incurred.

S. R. VYAS, Presiding Officer
[L-27012/1/80-D III, B]
SHASHI BHUSHAN, Under Secy

संधि पत्र

१५ फिल्डी, १ जून १९८२

का० आ० 2204.—भारत के राजपत्र भाग 2, अंक 3, उपच्छाप्त (ii) नारीश 10 अक्टूबर, 1981 के पृष्ठ 3436 पर प्रकाशित भारत सरकार के अमंत्रिताय की अधिनियम का अंक 2832 नारीश 25 सितम्बर, 1981 का पक्षि 2 और 3 में “तमिल नाडू राजपत्रायम्” पद्धति के स्थान पर “राजपत्रायम्” शब्द पढ़े।

[सं. ३५०१९/१५३/७९—सं००४८०-२]

CORRIGENDUM

New Delhi, the 1st June, 1982

S.O. 2204.—In the notification of the Government of India in the Ministry of Labour No. S.O. 2832 dated the 25th September, 1981 published at page 3436 of the Gazette of India Part II, Section 3, sub-section (ii) dated the 10th October, 1981 in line 4 and 5, for the words “Tamil Nadu Rajpalayam” read “Rajapalayam”.

[No. S-35019(152)/79-PF. II]

का० आ० 2205.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हैरेनबाद इलेक्ट्रोनिक्स प्र० इंजीनियरिंग विकासेस, सॉ०-१, हैरेनबाद इलेक्ट्रोनिक्स कम्प्लेक्स गू. शाईगुडा, हैदराबाद, ७६२, भारत स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी अधिक्षिय निधि प्रक्रीय उपचन्ध अधिनियम, 1952 (1952 का 19) के उपचन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अमंत्रिताय सरकार, उक्त अधिनियम की धारा 1 की उपचारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपचन्ध उक्त स्थापन को लागू करती है।

[सं. एम० ३५०१९/१०१/८०-प००४८०-१]

S.O. 2205.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Hyderabad Electronics and Engineering Devices C-1, Electronics Complex, Kushtaguda, Hyderabad-762, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (104)/80-PF-II]

का० आ० 2206.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डाल्टन प्रिल्स (प्राइवेट) लिमिटेड, मॉ. १ सालिगाराम रोड, बड़ापालनी, मद्रास २६, भारत स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी अधिक्षिय निधि प्रक्रीय उपचन्ध अधिनियम, 1952 (1952 का 19) के परवर्त्य उक्त स्थापन को लागू किए जाने चाहिए;

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अमंत्रिताय सरकार, उक्त अधिनियम की धारा 1 की उपचारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपचन्ध उक्त स्थापन को लागू करती है।

[सं. एम० ३५०१९/३९७/८१-प००२]

S.O. 2206.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs. Dalton Printers (Private) Limited, No. 1, Saligamam Road, Vadapalani, Madras-26, have agreed that the provisions of the Employees' Provident Fund, and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (397)/81-PF-II]

का० आ० 2207.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स माइन केमिकल कम्पनी, १२-डी, बाकर टाउन, मिक्स्डराबाद, भारत स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी अधिक्षिय निधि प्रक्रीय उपचन्ध अधिनियम, 1952 (1952 का 19) के उपचन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अमंत्रिताय सरकार, उक्त अधिनियम की धारा 1 की उपचारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपचन्ध उक्त स्थापन को लागू करती है।

[सं. एम० ३५०१९/६/८२-प००२]

S.O. 2207.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs. Modern Chemical Company, 12-D, Wallker Town, Secunderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (6)/82-PF-II]

का० आ० 2208.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री वेंकटेश्वर बैलिंग प्रेस, जगन्नारकपुर, काकिनाडा-२ (आन्ध्र प्रदेश) भारत स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी अधिक्षिय निधि प्रक्रीय उपचन्ध अधिनियम, 1952 (1952 का 19) के उपचन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अमंत्रिताय सरकार, उक्त अधिनियम की धारा 1 की उपचारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपचन्ध उक्त स्थापन को लागू करती है।

[सं. एम० ३५०१९/२७/८२-प००२]

S.O. 2208.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Venkateswara Bailing Press, Jagannarkpur, Kakinada-2 (Andhra Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019 (27)/82-PF-II]

का० आ० 2209.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ए० रायल टार्किंज, तिरुनेलवेलि टाउन, तिरुनेलवेलि-627006, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(91)/82-पी० एफ०-2]

S.O. 2209.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs New Royal Tinkies, Thirunelveli-Town, Thirunelveli-627006, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S- 35019 (91)/82-PF. II]

का० आ० 2210.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एन्सेट आन्टर्नेटर्स (प्राइवेट) लिमिटेड, नाचरानी, हैदराबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(92)/82-पी० एफ०-2]

S.O. 2210.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Elmo Alternators (Private) Limited, Nacharani, Hyderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (92)/82-PF. II]

का० आ० 2211.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जैड -369, कीलैयुर कीआपरेटिव एंट्रीकल्चरल बैंक लिमिटेड, डाकघर कीलैयुर-611103, थन्जावुर जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ।

अतः केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(93)/82-पी० एफ०-2]

S.O. 2211.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Z-369 Keelaiyur Co-operative Agricultural Bank Limited, Post Office Keelaiyur-611103, Tadikavur District, have agreed that the provisions

of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (93)/82-PF. II]

का० आ० 2212.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ए- 1965, उसिलमपट्टी कोआपरेटिव मिलक सप्लाई सोसाइटी लिमिटेड, उसिलमपट्टी, मदुरै जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019/(94)/82-पी० एफ०-2]

S.O. 2212.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs A-1965 Usilampatty Cooperative Milk Supply Society Limited, Usilampatty, Madurai District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (94)/82-PF. II]

का० आ० 2213.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के० तगेया नाडार एंड ब्रदर्स, 101, वेस्ट कार स्ट्रीट, डिंडिगुल, मदुरै जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ।

अतः केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019/(95)/82-पी० एफ०-2]

S.O. 2213.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K. Thangiah Nadar and Brothers, 101, West Car Street, Dindigul, 624001, Madurai District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment :

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (95)/82-PF. II]

का० आ० 2214.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पो० आरा० टी० एन० हंजीनियरी एंड आटोमेटिक बर्म, जाहाहू नगर, मानगंगा, जमशेवुर नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग कर द्युए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एम. 35019/96/82-पी०-एफ०-2]

S.O. 2214.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. R. T. N. Engineering and Automobiles works, Jawaharnagar, Mang Mango, Jamshedpur, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (96)/82-PF. II]

का० आ० 2215.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ग्लोब मार्केटिंग सर्विसेज, राहेज चैम्बर्स, 213 नारीमन प्लाईट, मुम्बई-21 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एम. 35018/91/80-पी०-एफ०-2]

S.O. 2215.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs Globe Marketing Service, Raheja Chambers, 213, Nariman Point, Bombay-21, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35018 (91)/80-PF. II]

का० आ० 2216.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अम्बाहाफिजी एंड कंपनी, श्री छत्रपति शिवाजी महाराज, फिशमार्केट, पहली मंजिल, कमरा नं. 22, पाल्टन रोड, मुम्बई-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन का लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन का लागू करती है।

[सं. एम. 35018/1/81-पी०-एफ०-2]

S.O. 2216.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs Abba Hafizi and Company, Shri Chatrapati Shivaji Maharaj, Fish Market, 1st Floor, Room No. 22, Palton Road, Bombay-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35018 (1)/82-PF. II]

का० आ० 2217.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री मलिगा इंजीनियरिंग वर्क्स, टी० आर० पालायम रोड, मदुकुरै और शाकधर, (नामा) मोक्षकुलम, पांडिचेरी राज्य, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन का लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एस-35019/4/82-पी०-एफ०-2]

S.O. 2217.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs Sri Malliga Engineering Works, T. R. Palayam Road, Madurai and Post, (Via) Mokshakulam, Pondicherry State, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35018 (4)/82-PF. II]

का० आ० 2218.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बाट्लीबोह एंड पुरोहित, नेशनल इन्स्योरेंस बिल्डिंग, 204, बाबाशाई नौरोजी रोड, फोटे, मुम्बई-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. ए-35018/20/82-पी०-एफ०-2]

ए० के० भट्टाराई, प्रबन्ध सचिव

S.O. 2218.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs Baillboi and Purohit, National Insurance Building, 204, Dadabhai Naroji Road, Fort, Bombay 1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (i) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S 35018 (20)/82-PF. II]

CORIGENDUM

S.O. 2219.—In the notification of the Government of India in the Ministry of Labour No. S.O. 520 dated the 27th January, 1982 published at page 538 of the Gazette of India, Part II, section 3, Sub-Section (ii) dated the 6th February, 1982 at page 538, Line 5, for "Kondivite" read "Kandivita".

[No. S. 35018 (84)/81-PF. II]

CORIGENDUM

S.O. 2220.—In the notification of the Government of India in the Ministry of Labour No. S.O. 49, dated the 27th January, 1982 published at pages 533 of the Gazette of India, Part II, Section 3, Sub-Section (ii) dated the 6th February, 1982 at page 533, line 5, for "Janmabhool" read "Janmabhoomi".

[No. S. 35018 (109)/81-PF. II]
A. K. BHATTARAI, Under Secy.

